



To: All CLEARs Members

From: Usha Mutschler, Usha@wpssgroup.com
Cory Salzillo, Cory@wpssgroup.com
Spencer Rhoads, Spencer@wpssgroup.com

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Re: Legislative Update – End of Session

The Legislature adjourned at 3:00 am on Saturday, September 14, in order to meet its annual deadline to pass bills to the Governor for the 2019 legislative year. The Governor now has until Sunday, October 13 to sign or veto all legislation on his desk. The Legislature is now in Interim Recess and will not formally reconvene until Monday, January 6, 2020. This year was another busy year in public safety and corrections. There were a number of themes we saw in legislation this year, including peace officer conduct and training.

CLEARs had success in stalling AB 300 (Chu), which would have required law enforcement agencies to notate suspected hate crimes or hate incidents in their incident reports and would have required the completion of a supplemental report for each hate crime or hate incident. Also, CLEARs was able to move to neutral on AB 397 (Chau) which now requires, courts, instead of your agencies, to include the fact that a DUI conviction was due to cannabis when reporting other required data to the Department of Justice (DOJ) regarding criminal convictions and cannabis for the sole drug causing the offender to be under the influence.

Below is a list of bills, including AB 1076 (Ting) and AB 1331 (Bonta), both significantly amended, that have passed the Legislature and are now on the Governor's desk. We will notify you as pertinent actions are taken by the Governor on these bills and we will also provide a comprehensive report of all of the Governor's signatures and vetoes following his deadline to act on bills.

We will continue to keep you updated as actions are taken by the Governor. We appreciate the engagement of CLEARs Executive Board through out the year on legislative matters. Your participation and contribution is invaluable.

Bills on the Governor's Desk

Measure	Topic	Summary
<u>AB 12</u> <u>Irwin D</u>	Firearms: gun violence restraining orders.	Would authorize a law enforcement officer to file a petition for a gun violence restraining order in the name of the law enforcement agency in which the officer is employed. The bill would change the duration of the gun violence restraining order and the renewal of the gun violence restraining order from one year to a period of time between one to 5 years, subject to earlier termination or renewal by the court. The bill would require a court, in determining the duration of the gun violence restraining order, to consider the length of time that the threat of personal injury is likely to continue, and to issue the order based on that determination.
<u>AB 61</u> <u>Ting D</u>	Gun violence restraining orders.	Current law authorizes a court to issue an ex parte gun violence restraining order prohibiting the subject of the petition from having in their 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 self-harm or harm to another in the near future by having in their custody or control, owning, purchasing, possessing, or receiving a firearm, and that the order is necessary to prevent personal injury to the subject of the petition or another, as specified. Current law authorizes renewal of a gun violence restraining order within 3 months of the order's expiration. Petitions for ex parte, one-year, and renewed gun violence restraining orders may be made by an immediate family member of the person or by a law enforcement officer. This bill would, commencing September 1, 2020, similarly authorize 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.
<u>AB 164</u> <u>Cervantes D</u>	Firearms: prohibited persons.	Under current law, a person who purchases or receives a firearm, attempts to purchase or receive a firearm, or owns or possesses a firearm knowing that the person is prohibited from doing so by a temporary restraining order, an injunction, or a protective order, as specified, is guilty of a crime. This bill would expand the scope of this crime to a person who is prohibited from purchasing or possessing a firearm in any jurisdiction by a valid order issued by an out-of-state jurisdiction that is similar or equivalent to a temporary restraining order, injunction, or protective order issued in this state, and which includes a prohibition from owning or possessing a firearm.
<u>AB 218</u> <u>Gonzalez D</u>	Damages: childhood sexual assault: statute of limitations.	Would expand the definition of childhood sexual abuse, which would instead be referred to as childhood sexual assault. This bill would increase the time limit for commencing an action for recovery of damages suffered as a result of childhood sexual assault to 22 years from the date the plaintiff attains the age of majority or within 5 years of the date the plaintiff discovers or reasonably should have discovered that the psychological injury or illness occurring after the age of majority was caused by sexual assault, whichever is later. This bill would also provide for the recovery of up to treble damages against certain defendants in these actions, and would revive time-lapsed claims in certain circumstances.
<u>AB 242</u> <u>Kamlager-Dove D</u>	Courts: attorneys: implicit bias: training.	Would authorize the Judicial Council to develop training on implicit bias with respect to these characteristics. The bill would require all court staff who interact with the public to complete 2 hours of any training developed by the Judicial Council pursuant to this authorization every 2 years. The bill would authorize the Judicial Council to adopt a rule of court, effective January 1, 2021, to implement these requirements. This bill contains other related provisions and other existing laws.
<u>AB 278</u> <u>McCarty D</u>	California Conservation Corps: community conservation corps: applicant selection: parolees.	Current law authorizes the Director of the California Conservation Corps, in implementing the California Conservation Corps program, to recruit and enroll corpsmembers and special corpsmembers and to adopt criteria for selecting applicants for enrollment, including individuals convicted of a crime described in the California Uniform Controlled Substances Act. Current law requires the director, when adopting this criteria, to take into account the health, safety, and welfare of the public and the corps

		<p>program participants and staff. Current law authorizes the director to select an applicant for enrollment in the corps program who is on probation, postrelease community supervision, or mandatory supervision. This bill would also authorize the director to select an applicant for enrollment in the corps program who is on parole. When selecting an applicant for enrollment in the corps program, the bill would require the director to consider specified aspects of the applicant's overall fitness to join the corp, including any potential impacts the applicant may have on public safety, as provided.</p>
<p>AB 303 Cervantes D</p>	<p>Mental health: sexually violent predators: trial: continuances.</p>	<p>Current law requires the Secretary of the Department of Corrections and Rehabilitation to refer a prisoner for evaluation by the State Department of State Hospitals when the secretary determines that the person may be a sexually violent predator and specifies the judicial processes necessary for civil commitment as a sexually violent predator, including, but not limited to, the right to a jury trial. This bill would establish procedures for requesting and granting continuances in these trials, as specified.</p>
<p>AB 304 Jones-Sawyer D</p>	<p>Wiretapping: authorization.</p>	<p>Current law establishes a procedure for a prosecutor to apply for, and the court to issue, an order authorizing law enforcement to intercept a wire or electronic communication. Current law requires the Attorney General to prepare and submit an annual report to the Legislature, the Judicial Council, and the Director of the Administrative Office of the United States Courts regarding these interceptions, as specified. Current law makes a violation of these provisions punishable as a misdemeanor or as a felony. Current law makes these provisions effective until January 1, 2020. This bill would extend the operation of these provisions until January 1, 2025.</p>
<p>AB 332 Lackey R</p>	<p>Peace officers: training.</p>	<p>Would require the Commission on Peace Officer Standards and Training, on or before April 1, 2021, to submit a report to the Legislature and Governor with specified data relating to students' completion of training at academies for peace officers and the availability of remedial training, including, among other things, the number of students who received one or more opportunities for remedial training for a learning domain. The bill would also require the report to include, among other things, a review of academies' practices regarding remedial training and a discussion of whether the commission finds that minimum standards for an appropriate level of remedial training should be established. The bill would repeal these provisions on January 1, 2024.</p>
<p>AB 339 Irwin D</p>	<p>Gun violence restraining orders: law enforcement procedures.</p>	<p>Current law authorizes a law enforcement officer to request, and a judicial officer to issue on an ex parte basis, a temporary emergency gun violence restraining order that prohibits a person from having custody or control of any firearms or ammunition if the person poses a significant danger of causing personal injury to themselves or another by having a firearm or ammunition. Current law establishes a civil restraining order process to accomplish that purpose. This bill would require each specified law enforcement agency to develop and adopt written policies and standards, as described, regarding the use of gun violence restraining orders.</p>
<p>AB 340 Irwin D</p>	<p>Firearms: armed prohibited persons.</p>	<p>The Budget Act of 2019 appropriated \$3,000,000 to the Counties of Alameda, San Diego, Santa Cruz, and Ventura to support local law enforcement activities related to seizing weapons and ammunition from persons who are prohibited from possessing them through a Gun Violence Reduction Pilot Program. This bill would require the Counties of Alameda, San Diego, Santa Cruz, and Ventura on or before 15 months after receiving these funds appropriated in the Budget Act of 2019, to submit a report to the Department of Justice and to the Legislature containing specified information relating to the efficacy of their programs.</p>
<p>AB 391 Voepel R</p>	<p>Leased and rented vehicles: embezzlement and theft.</p>	<p>Current law requires a peace officer, upon receiving a report based on reliable information that a registered vehicle has been stolen, or that a leased or rented vehicle has not been returned within 5 days after its owner has made written demand for its return, to report the information to the Department of Justice Stolen Vehicle System by certified or registered mail, following the expiration of the lease or rental agreement. Except as otherwise provided, a failure to comply with the Vehicle Code is punishable as an infraction. This bill would reduce the 5-day period following the expiration of the vehicle lease or rental agreement to 72 hours for the presumption of embezzlement to apply.</p>
<p>AB 397 Chau D</p>	<p>Vehicles: driving under the influence.</p>	<p>Current law makes it a crime for a person who is under the influence of a drug to drive a vehicle. Current law also makes it a crime for a person to drive under the influence and</p>

		proximately cause bodily harm to another person, as specified. Current law requires the superior court to provide a disposition report to the Department of Justice when the court disposes of a case for which an arrest for certain crimes was made and requires that the report contain specified information. This bill would, commencing January 1, 2022, require the disposition report made by the superior court for a conviction for driving under the influence of cannabis to state that the conviction was due to cannabis.
<u>AB 433</u> <u>Ramos</u> D	Probation: notice to victim.	Would require that the prosecuting attorney be given 2 days' written notice prior to a hearing to terminate probation early. The bill would require the prosecuting attorney to notify the victim if the victim requested to be notified about the progress of the case, and to request a continuance of the hearing if the victim advises the prosecuting attorney that there is an outstanding restitution order or restitution fine. By imposing new duties on a prosecuting attorney, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.
<u>AB 484</u> <u>Jones-Sawyer</u> D	Crimes: probation.	Current law requires a person who is granted probation after being convicted of furnishing or transporting a controlled substance relating to the sale of cocaine, cocaine hydrochloride, or heroin, or who is granted probation after being convicted of furnishing or transporting phencyclidine, to be confined in a county jail for at least 180 days as a condition of probation. Current law requires imposition of this probation condition unless the court, in an unusual case, finds that the interests of justice would best be served by absolving the defendant of this condition and specifies on the record the circumstances indicating that fact. This bill would instead make the imposition of the 180-day confinement condition on probation permissive rather than mandatory in those circumstances.
<u>AB 538</u> <u>Berman</u> D	Sexual assault: medical evidentiary examinations and reporting.	Current law requires the Office of Emergency Services to establish a protocol for the examination and treatment of victims of sexual assault and attempted sexual assault and the collection and preservation of evidence therefrom. Current law requires the office to adopt a standard and a complete form or forms for the recording of medical and physical evidence data disclosed by a victim of sexual assault or attempted sexual assault. Would authorize the form to be issued as a paper version or as an electronic version, or as both the paper and electronic version.
<u>AB 551</u> <u>Brough</u> R	Fatal vehicular accidents: chemical test results.	Current law requires a county coroner, or the coroner's appointed deputy, upon notification of a death involving a motor vehicle, as specified, to take blood and urine samples from the body of the deceased and make related chemical tests to determine the alcoholic contents, if any, of the body. Current law authorizes the coroner to perform other chemical tests, as deemed appropriate. Current law requires the detailed medical findings resulting from these examinations to be reduced to writing or otherwise permanently preserved, as specified. These requirements do not apply to testing of deceased persons under 15 years of age unless circumstances indicate the possibility of alcohol or specified drug consumption, and do not apply when the death has occurred more than 24 hours after the accident. This bill would additionally apply these provisions to a county medical examiner.
<u>AB 602</u> <u>Berman</u> D	Depiction of individual using digital or electronic technology: sexually explicit material: cause of action.	Current law creates a private right of action against a person who intentionally distributes a photograph or recorded image of another that exposes the intimate body parts of that person or of a person engaged in a sexual act without the person's consent if specified conditions are met. This bill would provide that a depicted individual, as defined, has a cause of action against a person who either (1) creates and intentionally discloses sexually explicit material if the person knows or reasonably should have known the depicted individual did not consent to its creation or disclosure or (2) who intentionally discloses sexually explicit material that they did not create if the person knows the depicted individual did not consent to its creation.
<u>AB 620</u> <u>Cooley</u> D	Coroner: sudden unexplained death in childhood.	Current law requires the coroner to inquire into and determine the circumstances, manner, and cause of certain deaths, including, but not limited to, a sudden or unusual death. Existing law, with certain exceptions, requires the coroner to, among other things, perform an autopsy, within 24 hours or as soon thereafter as feasible, in any case where an infant under one year of age has died suddenly and unexpectedly and authorizes the coroner to take tissue samples without parental consent. This bill would, in addition, define "sudden unexplained death in childhood" as the sudden death of a child one year of

		age or older but under 18 years of age that is unexplained by the history of the child and for which a thorough postmortem examination fails to demonstrate an adequate cause of death.
AB 645 Irwin D	Firearms: warning statements.	Current law requires the packaging of any firearm and any descriptive materials that accompany any firearm sold or transferred in this state, or delivered for sale in this state, by any licensed manufacturer or licensed dealer of firearms, to bear a label containing a warning statement, as specified. This bill would require, as of June 1, 2020, a specified statement regarding suicide prevention to be included on the firearm warning label, and to be posted on the premises of each licensed firearm dealer.
AB 662 Cunningham R	Crimes against minors.	Current law makes it an offense to entice an unmarried female under 18 years of age and of previous chaste character to a house of prostitution or elsewhere for the purpose of prostitution or illicit carnal connection with a man, to aid or assist in that enticement, or to procure by fraudulent means a female to have illicit carnal connection with a man, as specified. This bill would recast those offenses in gender-neutral terms, remove the requirement that the minor be of previous chaste character, and make other technical changes.
AB 730 Berman D	Elections: deceptive audio or visual media.	Current law prohibits a person or specified entity from, with actual malice, producing, distributing, publishing, or broadcasting campaign material, as defined, that contains (1) a picture or photograph of a person or persons into which the image of a candidate for public office is superimposed or (2) a picture or photograph of a candidate for public office into which the image of another person or persons is superimposed, unless the campaign material contains a specified disclosure. This bill would, until January 1, 2023, instead prohibit a person, committee, or other entity, within 60 days of an election at which a candidate for elective office will appear on the ballot, from distributing with actual malice materially deceptive audio or visual media of the candidate with the intent to injure the candidate's reputation or to deceive a voter into voting for or against the candidate, unless the media includes a disclosure stating that the media has been manipulated.
AB 800 Chu D	Civil actions: confidentiality.	Would permit a person who is a participant in the address confidentiality program and a party to a civil action to proceed using a pseudonym and to exclude or redact other identifying characteristics of the person from all pleadings and documents filed in the action, as specified. Parties to the action would be required to use the pseudonym at proceedings open to the public and to exclude and redact other identifying characteristics of the plaintiff from documents filed with the court.
AB 879 Gipson D	Firearms.	Would, commencing July 1, 2024, require the sale of firearm precursor parts, as defined, to be conducted by or processed through a licensed firearm precursor part vendor. Commencing July 1, 2024, the bill would require a person or business to have a valid firearm precursor part vendor license to sell more than one firearm precursor part in any 30-day period, except as exempted.
AB 893 Gloria D	22nd District Agricultural Association: firearm and ammunition sales at the Del Mar Fairgrounds.	Would, on and after January 1, 2021, prohibit the sale of firearms and ammunition at the Del Mar Fairgrounds property located in the 22nd District Agricultural Association, as specified, and would thereby make a violation of that prohibition a misdemeanor. The bill would exclude from its provisions a gun buyback event held by a law enforcement agency.
AB 917 Reyes D	Victims of crime: nonimmigrant status.	Current federal law provides a petition form to request temporary immigration benefits for a person who is a victim of certain qualifying criminal activity. Current federal law also provides a supplemental form for certifying that a person submitting a petition for immigration benefits is a victim of certain qualifying criminal activity and is, has been, or is likely to be helpful in the investigation or prosecution of that criminal activity. Current federal law provides a separate petition form to request temporary immigration benefits for a person who is a victim of human trafficking. Current federal law provides a supplemental form for certifying that a person submitting this latter petition is a victim of human trafficking and a declaration as to the person's cooperation regarding an investigation or prosecution of human trafficking. This bill would additionally require a certifying official from a certifying entity to certify "victim helpfulness" or "victim cooperation," respectively, when requested by a licensed attorney representing the victim

		or a representative fully accredited by the United States Department of Justice authorized to represent the victim in immigration proceedings.
<u>AB 925</u> <u>Gloria D</u>	Protective orders: confidential information regarding minors.	Current law authorizes a person who has suffered harassment to seek a temporary restraining order and an order prohibiting the harassment. Current law authorizes a minor or the minor's legal guardian to petition the court to have information regarding the minor that was obtained while issuing a protective order pursuant to this provision to be kept confidential. Disclosure or misuse of information ordered to be kept confidential is enforced as a civil contempt of court, punishable by a fine of up to \$1,000. This bill would require a notice to be sent to the respondent of a petition seeking an order to keep information confidential that identifies the information that has been made confidential and a statement that a disclosure is punishable by a monetary fine. The bill would authorize a court, either on its own motion at any time or upon a petition filed by a person, to grant a disclosure of information ordered to be kept confidential to certain individuals or entities as necessary to prevent harassment or if it is in the best interest of the minor.
<u>AB 927</u> <u>Jones-Sawyer D</u>	Crimes: fines and fees: defendant's ability to pay.	Would require a court imposing a fine, fee, or assessment related to a criminal or juvenile proceeding involving a misdemeanor or a felony to make a finding, as specified, that the defendant or minor has the ability to pay, as defined. The bill would require that a defendant or minor be presumed to not have the ability to pay if the defendant or minor is homeless, lives in a shelter, or lives in a transitional living facility, receives need-based public assistance, is very low income, or is sentenced to state prison for an indeterminate term or a term of life without the possibility of parole. The bill would also specify factors establishing inability to pay, as specified.
<u>AB 965</u> <u>Stone, Mark D</u>	Youth offender hearings.	Current law makes a person who was convicted of a controlling offense that was committed when the person was 25 years of age or younger and for which the sentence is a determinate sentence eligible for release on parole at a youth offender hearing by the board during the person's 15th year of incarceration. Current law makes a person who was convicted of a controlling offense that was committed when the person was 25 years of age or younger and for which the sentence is a life term of less than 25 years to life eligible for release on parole at a youth offender hearing by the board during the person's 20th year of incarceration. Current law makes a person who was convicted of a controlling offense that was committed when the person was 25 years of age or younger and for which the sentence is a life term of 25 years to life eligible for release on parole at a youth offender hearing by the board during the person's 25th year of incarceration. This bill would require a person's youth offender parole hearing to occur within 6 months of the first year they become eligible for a youth offender parole hearing under those provisions.
<u>AB 1009</u> <u>Gabriel D</u>	Firearms: reports to the Department of Justice.	Current law generally requires firearms transactions to be processed through a licensed firearms dealer. Current law generally requires firearms transactions that are exempt from the dealer requirement to be reported to the Department of Justice, either by mail or in person, or in a format prescribed by the department. This bill would, for various firearm transactions, as specified, instead allow the report to be made only by mail or via the California Firearms Application Reporting System (CFARS), and would, for reports submitted by mail, allow the Department of Justice to charge the person making the report a surcharge, not to exceed \$20, for the reasonable cost of receiving and processing the report.
<u>AB 1076</u> <u>Ting D</u>	Criminal records: automatic relief.	Would, commencing January 1, 2021, and subject to an appropriation in the annual Budget Act, require the Department of Justice, on a monthly basis, to review the records in the statewide criminal justice databases and to identify persons who are eligible for relief by having their arrest records, or their criminal conviction records, withheld from disclosure, as specified. The bill would require the department to grant relief to an eligible person, without requiring a petition or motion. The bill would not limit petitions, motions, or orders for relief, as required or authorized by any other law.
<u>AB 1117</u> <u>Gravson D</u>	Peace officers: peer support.	The California Emergency Services Act also authorizes the governing body of a city, county, city and county, or an official designated by ordinance adopted by that governing body, to proclaim a local emergency, as defined. The bill would authorize a local or

		regional law enforcement agency to establish a peer support and crisis referral program to provide an agencywide network of peer representatives available to aid fellow employees on emotional or professional issues. The bill would, for purposes of the act, define a “peer support team” as a team composed of law enforcement personnel, as defined, who have completed a peer support training course, as specified.
<u>AB 1165</u> <u>Bauer-Kahan</u> D	Child custody: supervised visitation.	Would require, beginning January 1, 2021, a professional supervised visitation provider to register as a trustline provider. The bill would require a professional provider to complete a Live Scan criminal background check before providing supervised visitation services. The bill would require a minimum number of the 24 hours of required training to be classroom instruction on specified subjects and further require, on and after January 1, 2021, a professional provider to complete training relating to child abuse reporting laws through an online training course required for mandated reporters that is provided by the State Department of Social Services.
<u>AB 1184</u> <u>Gloria</u> D	Public records: writing transmitted by electronic mail: retention.	Would, unless a longer retention period is required by statute or regulation, or established by the Secretary of State pursuant to the State Records Management Act, require a public agency, for purposes of the California Public Records Act, to retain and preserve for at least 2 years every public record, as defined, that is transmitted by electronic mail.
<u>AB 1215</u> <u>Ting</u> D	Law enforcement: facial recognition and other biometric surveillance.	Would prohibit a law enforcement agency or law enforcement officer from installing, activating, or using any biometric surveillance system in connection with an officer camera or data collected by an officer camera. The bill would authorize a person to bring an action for equitable or declaratory relief against a law enforcement agency or officer who violates that prohibition.
<u>AB 1261</u> <u>Jones-Sawyer</u> D	Controlled substances: narcotics registry.	Current law requires a person who is convicted in this state, or in another state under certain circumstances, of specified offenses involving controlled substances to register with the chief of police of the city in which the person resides, or the sheriff of the county if that person resides in an unincorporated area, as specified. Current law makes registration consist of a statement in writing signed by the person, giving information required by the Department of Justice, and the fingerprints and photograph of the person. Current law requires, within 3 days after registering, the law enforcement agency to forward the statement, fingerprints, and photograph to the Department of Justice. A person who knowingly violates the registration requirement and related requirements is guilty of a misdemeanor. This bill would delete that registration requirement and make conforming changes.
<u>AB 1296</u> <u>Gonzalez</u> D	Joint Enforcement Strike Force on the Underground Economy: Labor Enforcement Task Force.	Current law establishes the Joint Enforcement Strike Force on the Underground Economy to combat tax violations and cash-pay employment, and requires the membership of the strike force to be composed of representatives of the Employment Development Department, the Department of Consumer Affairs, the Department of Industrial Relations, and the Department of Insurance. Current law invites other agencies that are not part of the administration, such as the Franchise Tax Board, the State Board of Equalization, and the Department of Justice, to participate in the strike force. This bill would expand the required membership of the strike force to include the Department of Justice, the California Department of Tax and Fee Administration, and the Franchise Tax Board. The bill would authorize the strike force to invite other specified agencies to serve in an advisory capacity.
<u>AB 1297</u> <u>McCarty</u> D	Firearms: concealed carry license.	Current law authorizes specified local law enforcement agencies to issue to an applicant a license to carry a concealed firearm if certain requirements are met, including, among others, that the applicant has good cause for the license. Existing law requires an applicant for a license or a renewal of a license to pay a fee to the Department of Justice, as specified, to cover costs associated with background reports. Current law allows the licensing authority of any city, city and county, or county to charge an additional fee for a new license in an amount equal to the actual costs for processing the application for a new license. Under existing law, that additional fee may not exceed \$100. This bill would require, rather than authorize, the local licensing authority to charge the fee and would require the fee to be in an amount equal to the reasonable costs for processing the application, issuing the license, and enforcing the license, as specified.
<u>AB 1331</u>	Criminal justice data.	Current law requires criminal justice agencies to compile records and data, including a

<u>Bonta D</u>		summary of arrests, pretrial proceedings, the nature and disposition of criminal charges, sentencing, incarceration, rehabilitation, and release, about criminal offenders. Current law requires agencies to report this information to the Department of Justice for each arrest made, and requires the superior court that disposes of a case for which that information was reported to ensure that a disposition report of that case is reported to the department. This bill would require the information reported to include additional information related to identifying the arrestee.
<u>AB 1394</u> <u>Daly D</u>	Juveniles: sealing of records.	Current law authorizes, with exceptions, a person who is the subject of a juvenile court record, or the county probation officer, to petition the court for the sealing of records relating to the person's case. Current law establishes the procedures that apply to the sealing of those records. This bill would prohibit a superior court or probation department from charging an applicant a fee for filing a petition to seal records under those provisions.
<u>AB 1396</u> <u>Obernolte R</u>	Protective orders: elder and dependent adults.	Would authorize the court to order a restrained party, if appropriate, to participate in mandatory clinical counseling or anger management courses, as specified, when the court issues a protective order for abuse involving acts of physical abuse or acts of deprivation by a care custodian of goods or services that are necessary to avoid physical harm or mental suffering. The bill would require the Judicial Council, on or before January 1, 2021, to revise or promulgate forms as necessary to effectuate these provisions.
<u>AB 1407</u> <u>Friedman D</u>	Reckless driving: speed contests: vehicle impoundment.	Would, with respect to a conviction for reckless driving, or a conviction for engaging in a speed contest, if the person convicted is the registered owner of the vehicle, allow the vehicle to be impounded for 30 days for a first offense and require the vehicle to be impounded for 30 days for a 2nd or subsequent offense, at the registered owner's expense. The bill would allow the impoundment period to be reduced by the number of days, if any, that the vehicle was previously impounded, and would authorize the court to decline to impound the vehicle if it would cause undue hardship for the defendant's family, as specified.
<u>AB 1493</u> <u>Ting D</u>	Gun violence restraining order: petition.	Current law authorizes an immediate family member of a person or a law enforcement officer to request that a court, after notice and a hearing, issue a gun violence restraining order against that person. Under current law, the petitioner has the burden of proving, by clear and convincing evidence, that the subject of the petition poses a significant danger of causing personal injury and that the order is necessary to prevent personal injury, as specified. This bill would, commencing September 1, 2020, authorize the subject of the petition to file a form with the court relinquishing the subject's firearm rights and stating that the subject is not contesting the petition. If the subject files that form, the bill would require the court to issue a gun violence restraining order, as specified, and to provide notice of the order to all parties. The bill would make conforming changes.
<u>AB 1600</u> <u>Kalra D</u>	Discovery: personnel records: peace officers and custodial officers.	Current law provides discovery procedures for peace or custodial officer personnel records, and other records pertaining to peace or custodial officers, as specified. Current law requires the party seeking the discovery or disclosure to file a written motion with the appropriate court or administrative body upon written notice to the governmental agency that has custody and control of the records according to times prescribed under other provisions of law. This bill would limit the written notice requirement with respect to motions pertaining to the discovery of peace or custodial officer personnel records to civil actions.
<u>AB 1618</u> <u>Jones-Sawyer D</u>	Plea bargaining: benefits of later enactments.	Would make a provision of a plea bargain that requires a defendant to generally waive future benefits of legislative enactments, initiatives, appellate decisions, or other changes in the law that may retroactively apply after the date of the plea, void as against public policy.
<u>AB 1705</u> <u>Bonta D</u>	Medi-Cal: emergency medical transportation services.	Would instead require the State Department of Health Care to implement, subject to any necessary federal approvals, and no sooner than July 1, 2021, the Public Provider Intergovernmental Transfer Program (program), for the duration of any Medi-Cal managed care rating period, and would authorize the department to continue conducting any administrative duties related to the above-specified supplemental Medi-Cal reimbursement.

<u>AB 1747</u> <u>Gonzalez</u> D	California Law Enforcement Telecommunications System: immigration.	Would, commencing January 1, 2020, consistent with the California Values Act, prohibit subscribers to the system from using information other than criminal history information transmitted through the system for immigration enforcement purposes, as defined. The bill would also prohibit subscribers to the system from using the system for purposes of investigating violations of a specified federal law if a violation of that federal law is the only criminal history in an individual's record. The bill would, commencing July 1, 2021, with exceptions, require any inquiry submitted through the statewide telecommunications system for information other than criminal history information to include a reason for the inquiry.
<u>AB 1819</u> Committee on Judiciary	Inspection of public records: use of requester's reproduction equipment.	The California Public Records Act requires state and local agencies to make public records available upon receipt of a request for a copy that reasonably describes an identifiable record not otherwise exempt from disclosure, and upon payment of fees to cover costs. This bill would grant a requester who inspects a disclosable record on the premises of the agency the right to use the requester's equipment on those premises, without being charged any fees or costs, to photograph or otherwise copy or reproduce the record in a manner that does not require the equipment to make physical contact with the record, unless the means of copy or reproduction would result in damage to the record, or unauthorized access to a computer system of the agency or secured network, as specified.
<u>SB 22</u> <u>Levva</u> D	Rape kits: testing.	Would require a law enforcement agency to either submit sexual assault forensic evidence to a crime lab or ensure that a rapid turnaround DNA program is in place, as specified, and require a crime lab to either process the evidence or transmit the evidence to another crime lab for processing, as specified. Because this bill would impose a higher level of service on local law enforcement agencies in processing that evidence, it would impose a state-mandated local program.
<u>SB 36</u> <u>Hertzberg</u> D	Pretrial release: risk assessment tools.	Current law, beginning October 1, 2019, and stayed pending voter approval under the powers of referendum pursuant to the California Constitution, requires Pretrial Assessment Services, as defined, to assess a person arrested or detained, as specified, according to a risk assessment instrument, as defined. Current law requires Pretrial Assessment Services to release from confinement specified individuals based on that risk assessment, and, if the person is not released, to submit that assessment to the court for use in its pretrial release or detention decision. This bill would require each pretrial services agency that uses a pretrial risk assessment tool to validate the tool by January 1, 2021, and on a regular basis thereafter, but no less frequently than once every 3 years, and to make specified information regarding the tool, including validation studies, publicly available.
<u>SB 61</u> <u>Portantino</u> D	Firearms: transfers.	Current law, subject to exceptions, prohibits a person from making more than one application to purchase a handgun within any 30-day period. A violation of that prohibition is a crime. Current law prohibits a firearms dealer from delivering a handgun to a person whenever the dealer is notified by the Department of Justice that within the preceding 30-day period the purchaser has made another application to purchase a handgun that does not fall within an exception to the 30-day prohibition. A violation of that delivery prohibition by the dealer is a crime. This bill would, effective July 1, 2021, make the 30-day prohibition and the dealer delivery prohibition described above also applicable semiautomatic centerfire rifles.
<u>SB 136</u> <u>Wiener</u> D	Sentencing.	Current law imposes an additional 3-year sentence for each prior separate prison term served by a defendant where the prior and current offense was a violent felony, as defined. For other felonies, current law imposes an additional one-year term for each prior separate prison term or county jail felony term, except under specified circumstances. This bill would instead impose that additional one-year term served for each prior separate prison term served for a conviction of a sexually violent offense, as defined.
<u>SB 172</u> <u>Portantino</u> D	Firearms.	Current law, subject to exceptions, generally requires the loan of a firearm to be conducted by a firearms dealer. This bill would authorize the temporary transfer of a firearm without a firearms dealer's participation to a person who is 18 years of age or older for safekeeping to prevent it from being used to attempt suicide, as specified. The bill would also authorize the loan of a firearm without a firearms dealer's participation under other specified circumstances and if certain conditions are met, as specified.

<p>SB 269 Bradford D</p>	<p>Wrongful convictions.</p>	<p>Current law authorizes a person who has been convicted of a felony, imprisoned or incarcerated, and granted a pardon because either the crime was not committed or the person was innocent of the crime to present a claim against the state to the board for the pecuniary injury sustained by the person through the erroneous conviction and imprisonment or incarceration. Under current law, if a court grants a writ of habeas corpus but does not find the person factually innocent or if the court vacates a judgment due to new evidence of innocence, the person may move for a finding of factual innocence by a preponderance of the evidence. Current law requires the board, under any of those circumstances, if the court makes a finding that the petitioner has proven their factual innocence, upon application by the person, and without a hearing, to recommend to the Legislature that an appropriation be made and the claim paid, as specified. This bill would make those provisions applicable to cases in which newly discovered evidence of actual innocence exists that requires vacation of a conviction.</p>
<p>SB 273 Rubio D</p>	<p>Domestic violence.</p>	<p>Current law makes the infliction of corporal injury resulting in a traumatic condition upon specified victims, including, among others, the offender’s spouse or former spouse, punishable by imprisonment in the state prison for 2, 3, or 4 years, or in a county jail for not more than one year, or a fine of up to \$6,000, or by both that fine and imprisonment. This bill would authorize prosecution for that crime to be commenced within 5 years. The bill would apply to crimes that are committed on or after January 1, 2020, and to crimes for which the statute of limitations that was in effect prior to January 1, 2020, has not run as of January 1, 2020.</p>
<p>SB 310 Skinner D</p>	<p>Jury service.</p>	<p>The Trial Jury Selection and Management Act prohibits persons who have been convicted of malfeasance in office or a felony, and whose civil rights have not been restored, from being eligible and qualified to be a prospective trial juror. This bill would delete the prohibition relative to persons who have been convicted of a felony from being eligible and qualified to be a prospective trial juror, and instead would prohibit persons while they are incarcerated in any prison or jail, persons who have been convicted of a felony and are currently on parole, postrelease community supervision, felony probation, or mandated supervision for the conviction of a felony, and persons who are currently required to register as a sex offender based on a felony conviction.</p>
<p>SB 338 Hueso D</p>	<p>Senior and disability victimization: law enforcement policies.</p>	<p>Would eliminate 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. The bill would also authorize local law enforcement agencies to adopt a policy regarding senior and disability victimization, as defined. The bill would require, 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, that the policy include specified provisions, including provisions related to enforcement and training. The bill would also make clarifying changes to provisions related to the entities that have jurisdiction to investigate elder and dependent adult abuse.</p>
<p>SB 376 Portantino D</p>	<p>Firearms: transfers.</p>	<p>Current law generally requires any person who sells, leases, or transfers firearms to be a licensed dealer, as specified. Current law exempts infrequent sales, leases, and transfers from this requirement. Current law generally prohibits the purchase or receipt of a firearm by, or sale, transfer, or loan of a firearm, to, a person who does not have a firearm safety certificate. Current law exempts from this requirement, the infrequent loan of a firearm. Current law defines “infrequent” for purposes of this exemption to mean less than 6 handgun transactions per calendar year, or, for firearms other than handguns, an indefinite number of transactions that are “occasional and without regularity.” This bill would redefine “infrequent” to mean less than 6 firearm transactions per calendar year, regardless of the type of firearm, and no more than 50 total firearms within those transactions</p>
<p>SB 393 Stone R</p>	<p>Vessels: impoundment.</p>	<p>Would authorize a court to order the impoundment of a vessel, as defined, for a period of not less than one nor more than 30 days, if the registered owner is convicted of a specified crime involving the operation of a vessel while under the influence of an alcoholic beverage, any drug, or the combined influence of an alcoholic beverage and any drug and the conduct resulted in the unlawful killing of a person. The bill would authorize a court to consider certain factors in the interest of justice when determining whether a vessel used in the commission of such a crime shall be impounded pursuant to those provisions.</p>

SB 399 Atkins D	Commission on Peace Officer Standards and Training.	Current law establishes in the Department of Justice a Commission on Peace Officer Standards and Training. Current law requires the Governor to appoint members to the commission, 2 of whom are required to be members of the public who are not peace officers. This bill would require the President pro Tempore of the Senate and the Speaker of the Assembly to each appoint a member of the commission who is not a peace officer and who has demonstrated expertise in specified areas.
SB 439 Umberg D	Criminal procedure: wiretapping: authorization and disclosure.	Current law prohibits a peace officer or federal law enforcement officer from disclosing or using the contents of intercepted wire or electronic communications relating to crimes other than certain enumerated crimes, such as murder, human trafficking, and violent felonies, and those specified in the order of authorization, except to prevent the commission of a public offense. This bill would authorize a peace officer or federal law enforcement officer to disclose those contents if they relate to grand theft involving a firearm or maliciously exploding or igniting a destructive device or any explosive causing bodily injury, mayhem or great bodily injury, or death.
SB 459 Galgiani D	Crimes: rape: great bodily injury.	Would make the 5-year sentence enhancement for the infliction of great bodily injury applicable to rape committed against a victim who is the perpetrator's spouse who was prevented from resisting by any intoxicating or anesthetic substance, or a controlled substance. By increasing the punishment for crimes, this bill would impose a state-mandated local program.
SB 471 Stern D	Subpoenas: service.	Current law authorizes service of a subpoena to be made by delivery of the subpoena to the witness personally, or by mail or messenger. Current law requires service to be effected when the witness acknowledges receipt of the subpoena to the sender and identifies themselves, as specified. Existing law requires the sender to make a written notation of the identifying information obtained. Existing law makes a failure to comply with a subpoena issued and acknowledged pursuant to these provisions punishable as a contempt. This bill would additionally authorize delivery of a subpoena by electronic mail or facsimile transmission.
SB 518 Wieckowski D	Civil actions: settlement offers.	Current law, in a civil action to be resolved by trial or arbitration, authorizes a party to serve an offer in writing on any other party to the action to allow judgment to be taken or an award to be entered in accordance with the terms and conditions stated at the time. Existing law shifts specified postoffer costs to a plaintiff who does not accept a defendant's offer if the plaintiff fails to obtain a more favorable judgment or award. Current law also authorizes a court or arbitrator to order a party who does not accept the opposing party's offer and fails to obtain a more favorable judgment or award to cover the postoffer costs for the services of expert witnesses, as specified. Current law exempts certain actions from those provisions, including any labor arbitration filed pursuant to a memorandum of understanding under the Ralph C. Dills Act. This bill would also exempt from those provisions any action to enforce the California Public Records Act.
SB 591 Galgiani D	Incarcerated persons: mental health evaluations.	Would require that psychiatrists or psychologists from the State Department of State Hospitals, the Department of Corrections and Rehabilitation, or the Board of Parole Hearings be given access to prisoners being temporarily held at a county correctional facility, a county medical facility, or a state-assigned mental health provider.
SB 622 Durazo D	Civil detention facilities: state investigation.	Current law prohibits a city, county, city and county, or a local law enforcement agency from entering into a contract with the federal government, any federal agency, or a private corporation to house or detain in a locked detention facility noncitizens for purposes of civil immigration custody, as specified. Current law prohibits a city, county, city and county, or a public agency from approving or signing a deed, instrument, or other document related to a conveyance of land or issuing a permit for the building or reuse of existing buildings by a private corporation, contractor, or vendor to house or detain noncitizens for the purposes of civil immigration proceedings unless the city, county, city and county, or public agency has provided specified notice to the public and solicited and heard public comments regarding the action. This bill would require the custodian of a civil detention facility, as defined, in which a death has occurred to notify the Bureau of Investigation within the Department of Justice immediately, but in any case, no more than 2 hours after the individual is pronounced dead.