

2008 Sex Offender Legislation July 2008

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

Status: Suspense File

Location: Assembly Appropriations Committee

[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: This bill would, as of June 1, 2012, 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.

THIS BILL WAS HELD IN THE ASSEMBLY APPROPRIATIONS COMMITTEE AND IS DEAD FOR THE YEAR

[AB2169 \(Cook\)](#) Sex offenders: Ice Cream Trucks

Status: Suspense File

Location: Assembly Appropriations Committee

[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: This bill would prohibit a city or county from issuing a license to operate an ice cream truck to any person who is required to register as a sex offender.

As amended April 30, 2008, this bill would require the Sex Offender Management Board to conduct an assessment of whether the state needs to preempt local control regarding licensure prohibitions on sex offenders and report the assessment to the Legislature and Governor

THIS BILL WAS HELD IN THE ASSEMBLY APPROPRIATIONS COMMITTEE AND IS DEAD FOR THE YEAR

[AB 2334 \(Runner\)](#) Sex offenses: sexually violent predators.

Status: Failed Passage

Location: 04/15/2008 Assembly Public Safety Committee

[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: This bill would toll the parole period of a person being considered for a sexually violent predator commitment from the beginning of the person's evaluation, rather than the actual determination that the person is a sexually violent predator. The bill would also define the term "frivolous" when pertaining to the required denial of a petition for unconditional release.

THIS BILL FAILED TO PASS THE FIRST POLICY COMMITTEE BY THE LEGISLATIVE DEADLINE AND IS DEAD FOR THE YEAR

[AB 2354 \(Galqiani\)](#) Sex offenses: obscene matter: punishment.

Status: Held in Committee.

Location: Assembly Public Safety

[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: This bill would provide that the offense of possessing, preparing, or distributing obscene material, as specified, that depicts a minor personally engaging in or personally simulating sexual conduct is punishable by imprisonment in state prison and by a fine not exceeding \$10,000. This bill contains other related provisions and other existing laws.

THIS BILL FAILED TO PASS THE FIRST POLICY COMMITTEE BY THE LEGISLATIVE DEADLINE AND IS DEAD FOR THE YEAR

[AB 2363 \(Ma\)](#) Sex Offender Management Board

Status: as amended 6/16

Location: Senate Appropriations 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: This bill was “gutted and amended” on April 15, 2008. This amended version of this bill would have: (1) extended the sunset date of the Sex Offender Management Board (SOMB) to December 31, 2011; (2) required the Board to conduct a thorough assessment of the availability of rental housing for sex offenders; (3) required the Board to determine the effect on public safety of making registration or specified information disclosed a basis upon which to refuse to rent to, or terminate a tenancy of, a registered sex offender; and (4) required the Board to submit a summary of findings to the Legislature and Governor by January 1, 2012.

As amended versions of this bill (May 23 and June 16) removed the sunset extension for the SOMB, and “authorizes” rather than “requires” the Board to conduct the remaining provisions as described above.

[AB 2409 \(Nava\)](#) Juvenile Case Files: sexually violent predators

Status: Suspense File

Location: Assembly Appropriations

[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: This bill would prohibit the destruction of files for any juvenile offender who is 14 years of age or older and who commits a sexually violent offense.

As amended April 23, the bill would provide that these records may be used to in any civil proceeding investigation to determine whether the person is a sexually violent predator only upon a showing of good cause by the court.

THIS BILL WAS HELD IN THE ASSEMBLY APPROPRIATIONS COMMITTEE AND IS DEAD FOR THE YEAR

[AB 2410 \(Nava\)](#) Sexually Violent Predators

Status: Enrolled

Location: Governor’s Office

[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: This bill would prohibit the release of the name of any victim of an offender determined to be a sexually violent predator by specified law enforcement and public safety agencies.

[AB 2593 \(Adams\)](#) Sex Offenders: Parole

Status: As amended July 1

Location: Senate Appropriations

[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: As introduced this bill would have provided that a sober living facility shall be considered a single family dwelling and subject to the provision in state law that prohibits more than one sex offender on parole from living within a single family dwelling. As amended April 28, 2008, this bill would have further provided that a hotel room within a hotel shall be considered a single family dwelling.

Amendments to the bill (May 23, June 16, and July 1) did the following:

- Removed the two provisions noted above; and
- Required the Department of Social Services to compare sex offender addresses with those of licensed facilities (such as day care centers) and take appropriate action.

[AB 2681 \(Smyth\)](#) Sex offenders: Internet access.

Status: 02/25/2008-Read first time.

Location: 02/22/2008-A PRINT

[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: This bill would express the intent of the Legislature to enact legislation that would restrict registered sex offenders' access to the Internet.

THIS BILL FAILED TO PASS THE FIRST POLICY COMMITTEE BY THE DEADLINE AND IS DEAD FOR THE YEAR

[AB 2781 \(Runner, Sharon\)](#) Sex offenses: Internet: public information.

Status: As amended June 24, 2008

Location: Senate Appropriations

[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: As introduced, this bill would have added felony convictions for certain child pornography offenses and indecent exposure to the list of specified sexual offenses requiring the broadest disclosure by the Department of Justice via an Internet Web site for registered sex offenders, and misdemeanor convictions for the same offenses to the list requiring the least disclosure of information by the Department of Justice.

As amended April 17, this bill provides that by January 1, 2010, persons convicted of felony-related child pornography offenses shall have disclosed on the website the following information: name, photograph, physical description, date of birth, criminal history, prior adjudication as an SVP, residential address, and any other relevant information as determined by DOJ.

As amended June 24, this bill would allow offenders to apply for exclusion from the website if they are convicted of specific child-pornography offenses and the probation officer's report clearly shows the victim was age 16 years or older. This version of the bill also makes these provisions effective January 1, 2010 and requires they be funded within existing resources.

[SB 1187 \(Battin\)](#) Sex offenses: Internet: public information.

Status: As Amended May 27

Location: Assembly Floor

[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: This bill would add convictions for certain child pornography offenses and for annoying or molesting a minor to the list of specified sexual offenses requiring the broadest disclosure by the Department of Justice on an Internet Web site related to sex offenders. This bill would exempt, however, the additional felony convictions except annoying or molesting a minor from Internet disclosure if the person submits to the department a certified copy of a probation report filed in court that clearly states that all victims involved in the commission of the offense were at least 16 years of age or older at the time of the commission of the offense.

As amended March 27, this bill removed the crime of annoying/molesting children from these provisions. The May 20 amendment makes the changes in this bill effective January 1, 2010.

The May 27 amendment requires the provisions of this bill to be implemented within existing resources.

[SB 1203 \(Runner\)](#) Sexually Violent Predators

Status: as amended April 22

Location: Assembly Public Safety Committee

[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: This bill would toll the parole period of a person being considered for a sexually violent predator commitment from the beginning of the person's evaluation, rather than the actual determination that the person is a sexually violent predator.

THIS BILL FAILED PASSAGE IN THE ASSEMBLY PUBLIC SAFETY COMMITTEE AND IS DEAD FOR THE YEAR

[SB 1253 \(Alquist\)](#) Sex offenders: assessments.

Status: As Amended May 23

Location: Assembly Appropriations 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: As introduced, bill would have required State Authorized Risk Assessment Tool for Sex Offenders (SARATSO that the) Training Committee to monitor consistency and quality of risk assessment, and to arrange for qualified experts to train persons responsible for overseeing training. As previously amended, this bill would have relocated SARATSO under CDCR. However, as amended May 15, this bill would instead provide that SARATSO shall be housed within DMH. In addition, it shall provide that commencing July 1, 2010, CDCR and DMH shall send scores to the DOJ within 30 days of an assessment being made. The risk assessment score of an offender shall be made part of his/her file maintained by DOJ's Sex Offender Tracking Program.

