

2009 Sex Offender Legislation April 2009

[AB 16\(Swanson\)](#) Human trafficking. (A-04/14/2009 [html](#) [pdf](#))

Status: 04/14/2009-Read second time and amended.

Location: 04/13/2009-A 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	Chapered

Summary: Under existing law, including the Three Strikes Law, a person who is convicted of or who has a prior conviction for a serious or violent felony, is subject to additional years of imprisonment in the state prison, as specified. This bill would include within the definition of a serious and a violent felony the crime of human trafficking . This bill contains other related provisions and other existing laws.

[AB 17\(Swanson\)](#) Prostitution: solicitation, pimping, and pandering. (I-12/01/2008 [html](#) [pdf](#))

Status: 03/31/2009-In committee: Set, first hearing. Hearing canceled at the request of author.

Location: 02/05/2009-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	Chapered

Summary: Under existing law, a person who is convicted of human trafficking where the victim is under 18 years of age is punishable by imprisonment in the state prison. A person convicted of soliciting or agreeing to engage in an act of prostitution is guilty of a misdemeanor, punishable by imprisonment in the county jail for up to 6 months and a fine of up to \$1,000. Under existing law, a person who is convicted of pimping, pandering, or procurement of a child under 16 years of age is guilty of a felony, punishable by imprisonment in the state prison and a fine of up to \$15,000. In addition, under existing law, the court may impose a fine of up to \$5,000 on a person convicted of pimping, pandering, or procuring a child under 16 years of age for any of those purposes, the proceeds of which are deposited into the Victim-Witness Assistance Fund, to be made available to child sexual exploitation and child sexual abuse victim counseling centers and prevention programs. This bill would require a court to impose upon any person who solicits another person to engage in an act of prostitution in return for money or other consideration or who agrees to give another person money or other consideration in return for the other person committing an act of prostitution, in addition to any punishment prescribed or fine imposed under other applicable provisions, a fine of no less than \$250 and no more than \$2,500 per conviction, as determined by the court. The bill would also require a court to impose upon any person who is convicted of pimping, pandering, or procuring a child under 16 years of age, in addition to any other punishment prescribed, a fine of no less than \$2,500 and no more than \$250,000 per conviction, as determined by the court. In addition, this bill would authorize the court to impound any personal property used in the course of that unlawful conduct for a period of up to 60 days. If the person has previously been convicted of one of those offenses, the court would be authorized to order any personal property used in the course of committing the violation forfeited, pursuant to specified procedures. If real property is used in a violation of those provisions, the bill would apply to that property existing provisions of law declaring property used for illegal purposes to be a nuisance. By imposing additional duties on local officials, this bill would create a state-mandated local program. This bill contains other related provisions and other existing laws.

[AB 61\(Nava\)](#) Juvenile crime: deferred entry of judgment. (A-03/16/2009 [html](#) [pdf](#))

Status: 04/01/2009-From committee: Do pass, and re-refer to Com. on APPR. Re-referred. (Ayes 7. Noes 0.) (March 31).

Location: 04/01/2009-A APPR.

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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, enacted by initiative statute, provides that if a minor consents and waives his or her right to a speedy jurisdictional hearing, the court may refer the case to the probation department or summarily grant deferred entry of judgment if the minor admits the charges in the petition and waives time for the pronouncement of the judgment. These provisions apply whenever a case is before the juvenile court for a determination of whether the minor is within the jurisdiction of the juvenile court because of the commission of a felony offense, and the minor meets other eligibility criteria, including that the offense charged is not one of an enumerated list of offenses for which a minor 14 years of age or older may be found unfit for treatment in juvenile court and prosecuted under the general law in a court of criminal jurisdiction. The initiative statute provides that any amendment of its provisions requires a 2/3 vote of the membership of each house of the Legislature. This bill would list additional sexual offenses for which a minor charged with the commission thereof would become ineligible for a deferred entry of judgment pursuant to these provisions. By changing the punishment for a crime, the bill would impose a state-mandated local program. Because the bill would amend an initiative statute, it would require a 2/3 vote. This bill contains other related provisions and other existing laws.

[AB 168\(Nava\)](#) Juvenile case files: sexually violent predator proceedings. (A-04/14/2009 [html](#) [pdf](#))

Status: 04/14/2009-Read second time and amended.

Location: 04/13/2009-A 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

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 authorize, in any investigation, action, or proceeding based on the sexually violent predator laws, a court, upon a showing of good cause, to 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 that have been sealed, that are relevant to the civil commitment proceeding as determined by the court, in camera, and 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 court, to obtain and use the records. The bill would provide that the records would remain confidential, as specified. This bill contains other existing laws.

[AB 179\(Portantino\)](#) Sex offender registration: e-mail addresses. (A-03/31/2009 [html](#) [pdf](#))

Status: 04/01/2009-Re-referred to Com. on PUB. S.

Location: 04/01/2009-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

Calendar: 04/21/09 9 a.m. - Room 126 ASM PUBLIC SAFETY

Summary: Existing law requires persons convicted of specified sex offenses to register with local law enforcement authorities and update that registration, 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 the place of confinement or hospital to forward the person's expected address upon release to the Department of Justice. This bill would require that a person required to register as a sex offender include all e-mail addresses and instant messaging identities that may be used by the person in the information provided at each registration or renewed registration, as specified. The bill would require the official in charge of a place of confinement or hospital releasing a person subject to registration to forward to the Department of Justice all e-mail addresses and instant messaging identities that may be used by the person in addition to the person's expected address upon release. This bill contains other related provisions and other existing laws.

[AB 307\(Cook\)](#) Business licenses: ice cream truck operation. (A-03/23/2009 [html](#) [pdf](#))

Status: 03/24/2009-Re-referred to Com. on B. & P.

Location: 03/24/2009-A B. & P.

[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 authorizes the legislative body of an incorporated city and the board of supervisors of a county to issue business licenses to persons to operate any kind of business not prohibited by law. This bill would prohibit a city or county from issuing a license to operate an ice cream truck, as defined, to any person who is required to register as a sex offender.

[AB 383\(Lieu\)](#) Criminal procedure: DNA evidence. (I-02/23/2009 [html](#) [pdf](#))

Status: 04/01/2009-From committee: Do pass, and re-refer to Com. on APPR. Re-referred. (Ayes 7. Noes 0.) (March 31).

Location: 04/01/2009-A APPR.

[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 limitations on the time for commencing criminal actions, with certain exceptions. Existing law provides for the tolling or extension of these time limitations, as specified. Existing law provides that regarding sex crimes and certain other crimes, as specified, a criminal complaint may be filed within one year of the date on which the identity of the suspect is conclusively established by DNA testing if the offense was committed on or after January 1, 2001, and biological evidence collected in connection with the offense is analyzed for DNA type not later than 2 years from the date of the offense. This bill would extend this limitation on the time period for analyzing biological evidence from 2 years to 5 years.

[AB 505\(Furutani\)](#) Sex offenders: monitoring and housing. (A-04/13/2009 [html](#) [pdf](#))

Status: 04/14/2009-Re-referred to Com. on PUB. S.

Location: 04/14/2009-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 establishes the Sex Offender Management Board, as specified, under the jurisdiction of the Department of Corrections and Rehabilitation, the purpose of which is to address issues, concerns, and problems related to the community management of the state's adult sex offenders, with a goal of safer communities and reduced victimization, as specified. The provisions relating to the creation and regulation of the board are scheduled to remain effective only until January 1, 2010. This bill would delete the repeal date of January 1, 2010, thereby making the provisions relating to the Sex Offender Management Board operative indefinitely. The bill would require the Sex Offender Management Board to conduct a thorough assessment of (1) the increasing number of unmonitored transient adult sex offenders residing in California communities, and (2) the increasing clustering of the housing of adult sex offenders residing in California communities, and provide a report and plan with recommendations to the Legislature and the Governor, as specified.

[AB 575\(Torres\)](#) Sex offenders: restrictions. (I-02/25/2009 [html](#) [pdf](#))

Status: 03/31/2009-In committee: Set, first hearing. Hearing canceled at the request of author.

Location: 03/12/2009-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 makes it unlawful for a person who is required to register as a sex offender to reside within 2,000 feet of a public or private school, or park where children regularly gather. Existing law also provides that any person required to register as a sex offender who comes into any school building or upon any school ground without lawful business and written permission is guilty of a misdemeanor. This bill would make it a misdemeanor for a sex offender, except in limited instances, to be physically present and delay, linger, or idle about within 300 feet of a sensitive use site, as defined. For purposes of those provisions, a sensitive use site would include specified places where children gather, including arcades, bus stops, child care centers, children's retail stores, community centers, cultural centers, cyber cafes, health clubs providing childcare services, movie theaters, museums, sports centers, and schools. This bill contains other related provisions and other existing laws.

[AB 595\(Adams\)](#) Placement of children: criminal background checks. (I-02/25/2009 [html](#) [pdf](#))

Status: 03/26/2009-Referred to Com. on HUM. S.

Location: 03/26/2009-A HUM. 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, the California Community Care Facilities Act, provides for the licensure and regulation of community care facilities, including foster family homes and foster family agencies, by the State Department of Social Services. Violation of these provisions is a misdemeanor. This bill would prohibit the State Department of Social Services or other approving authority from issuing a license or certificate of approval to any foster family home or certified family home applicant who has not obtained both a California and Federal Bureau of Investigation criminal record clearance or an exemption from disqualification, as prescribed. This bill contains other related provisions and other existing laws.

[AB 862\(Knight\)](#) Sexual assault. (I-02/26/2009 [html](#) [pdf](#))

Status: 02/27/2009-From printer. May be heard in committee March 29.

Location: 02/26/2009-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: Existing law establishes various sexual assault offenses, including the offense of rape. This bill would make a technical, nonsubstantive change to the provisions establishing the offense of rape.

[AB 997\(Krekorian\)](#) Sex offenders: licensed residential facilities: information. (I-02/27/2009 [html](#) [pdf](#))

Status: 04/02/2009-Referred to Com. on PUB. S.

Location: 04/02/2009-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 requires sex offenders to register in accordance with the procedures of the Sex Offender Registration Act. Existing law authorizes the Department of Justice to disclose sex offender information to government entities under specified circumstances. This bill would require the Department of Justice, the Department of Social Services, and the Department of Alcohol and Drug Programs to coordinate with one another to develop an approach that allows these departments to generate information identifying all sex offenders living in licensed residential, child care, or foster care facilities.

[AB 1017\(Portantino\)](#) Sexual assault crimes. (A-04/02/2009 [html](#) [pdf](#))

Status: 04/13/2009-Re-referred to Com. on PUB. S.

Location: 04/13/2009-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

Calendar: 04/21/09 9 a.m. - Room 126 ASM PUBLIC SAFETY

Summary: Existing law, the Sexual Assault Victims' DNA Bill of Rights, authorizes a law enforcement agency investigating certain felony sex offenses to, upon the request of the victim, and subject to the commitment of resources, inform the victim whether or not a DNA profile was obtained from the testing of the rape kit evidence or other crime scene evidence from the case, whether or not that information has been entered into the Department of Justice Data Bank of case evidence, and whether or not there is a match between the DNA profile developed from the rape kit evidence or other crime scene evidence and a DNA profile contained in the Department of Justice Convicted Offender DNA Data Base, as specified. Existing law also requires that the victim be given written notification by the law enforcement agency if the law enforcement agency elects not to perform DNA testing of the rape kit evidence or other crime scene evidence, or intends to destroy or dispose of the rape kit evidence or other crime scene evidence prior to the expiration of the statute of limitations, as specified. This bill would require DNA analysis of rape kit evidence in a timely manner to ensure the longest possible statute of limitation, as specified, and no later than 6 months after the rape kit is obtained by the law enforcement agency. The bill would delete language subjecting certain victim rights to the commitment of sufficient resources to respond to requests. The bill would require a law enforcement agency, if it does not analyze the DNA evidence of an assailant of a sexual assault victim within 6 months of obtaining the rape kit evidence, to inform the victim of this fact. The bill would also require each law enforcement

felony conviction in which the victim was a minor, to be registered as a sex offender, unless the court finds that there is no significant risk to the child and states its reasons in writing or on the record. Existing law also provides that the child may not be placed in a home in which a person described above resides, nor permitted to have unsupervised visitation with that person, unless the court states the reasons for its findings in writing or on the record. Existing law authorizes, upon the motion of one or both parents, or the legal guardian or custodian, or upon the court's own motion, an order granting physical or legal custody of, or unsupervised visitation with, a child, to be modified or terminated if the circumstances described above have arisen, as specified, since the order was entered, unless the court finds that there is no significant risk to the child and states its reasons in writing or on the record. This bill would delete the court's discretion in the cases described above, thereby prohibiting the court from granting a person physical or legal custody of, or unsupervised visitation with, a child if the person is a registered sex offender or has been convicted of specified criminal offenses, and prohibiting the court from placing the child in a home in which that person resides. The bill would also make conforming changes.

SB 46(Alquist) Sex offenders: commencing trial: time. (A-02/23/2009 [html](#) [pdf](#))

Status: 04/02/2009-Set for hearing April 21.

Location: 02/23/2009-S 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

Calendar: 04/21/09 9:30 a.m. - John L. Burton Hearing Room (4203) SEN PUBLIC SAFETY

Summary: Existing law provides that the prosecution of an offense punishable by death or by imprisonment in the state prison for life or for life without the possibility of parole, or for the embezzlement of public money, may be commenced at any time. This bill would add specified sex offenses, including rape, sodomy, lewd or lascivious acts, oral copulation, continuous sexual abuse of a child, and acts of sexual penetration to the list of crimes for which there is no statute of limitation for prosecution.

SB 50(Corbett) Victims of sexual assault. (A-04/13/2009 [html](#) [pdf](#))

Status: 04/13/2009-From committee with author's amendments. Read second time. Amended.

Re-referred to Com. on PUB. S.

Location: 04/13/2009-S 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

Calendar: 04/21/09 9:30 a.m. - John L. Burton Hearing Room (4203) SEN PUBLIC SAFETY

Summary: Existing law authorizes state compensation for victims of crime, as specified. This bill would additionally authorize state payment of claims by medical providers for the costs of medical examinations and treatment for victims of sexual assaults, as specified. This bill contains other related provisions and other existing laws.

[SB 174\(Strickland\)](#) Public safety. (1-02/14/2009 [html](#) [pdf](#))

Status: 03/17/2009-Set for hearing April 28.

Location: 03/09/2009-S 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

Calendar: 04/28/09 9:30 a.m. - John L. Burton Hearing Room (4203) SEN PUBLIC SAFETY

Summary: Existing law generally regulates public safety. This bill would make various technical and nonsubstantive changes to provisions related to, among other things, junk dealers, real estate fraud, sex offenders, and weapons.

[SB 203\(Harman\)](#) Child pornography: separate offense per child: Internet distribution. (A-04/02/2009 [html](#) [pdf](#))

Status: 04/02/2009-From committee with author's amendments. Read second time. Amended.

Re-referred to Com. on PUB. S.

Location: 04/02/2009-S 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 includes provisions criminalizing conduct involving obscene matter and child pornography. In *People v. Hertzig* (2007) 156 Cal.App.4th 398, the court, in interpreting one of these, a child pornography possession provision, held that the possession of multiple video images on a laptop computer was a single violation. In *People v. Manfredi* (2008) 169 Cal.App.4th 622, the court, in interpreting the same provision, held that the defendant's simultaneous possession of multiple child pornography materials at the same location was a single violation. This bill would revise the provisions criminalizing conduct involving obscene matter and child pornography to provide that the depiction or involvement of each individual person pursuant to any of those provisions shall constitute a distinct and separate offense. This bill contains other related provisions and other existing laws.

[SB 325\(Alquist\)](#) Sex offenders: assessments. (1-02/25/2009 [html](#) [pdf](#))

Status: 03/19/2009-Set for hearing April 21.

Location: 03/09/2009-S 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

Calendar: 04/21/09 9:30 a.m. - John L. Burton Hearing Room (4203) SEN PUBLIC SAFETY

Summary: Existing law requires every person required to register as a sex offender to be subject to assessment by the State-Authorized Risk Assessment Tool for Sex Offenders (SARATSO). Existing law establishes the SARATSO Review Committee and directs the committee to ensure that the SARATSO reflects the most reliable, objective, and well-established protocols for predicting sex offender risk of recidivism, has been scientifically validated and cross validated, and is widely accepted by the courts. Existing law also requires the SARATSO Training Committee to develop a training program for persons authorized to perform the risk assessments. Under existing law, this training is required to be conducted by experts in the field of risk assessment and the use of actuarial instruments in predicting sex offender risk. This bill would provide a protocol for an agency that scores the SARATSO and believes that a score does not represent the person's true risk level to submit the case to certain experts for possible override. This bill contains other related provisions and other existing laws.

[SB 496\(Maldonado\)](#) Real estate: sex offenders. (I-02/26/2009 [html](#) [pdf](#))

Status: 03/27/2009-Set for hearing April 20.

Location: 03/12/2009-S B., P. & E.D.

[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: 04/20/09 1 p.m. and upon adjournment of session - Room 3191 SEN BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT

Summary: The Real Estate Law provides for the licensing and regulation of real estate salespersons and real estate brokers by the Real Estate Commissioner, and authorizes the commissioner to deny, revoke, or suspend a license for specified reasons. Existing law requires persons convicted of certain sex offenses to register as sex offenders, as specified. A violation of various provisions of the Real Estate Law is a crime. This bill would, with regard to an individual who is required to register as a sex offender, require the commissioner to deny an application for licensure, renewal, or reinstatement of, or to revoke, a license under the Real Estate Law, with specified exceptions. The bill would require an individual who is convicted of an offense that requires registration as a sex offender to notify the commissioner within 5 days of the imposition of sentence, with specified exceptions. Because a failure to comply with this requirement would be a crime, the bill would thereby impose a state-mandated local program. This bill contains other related provisions and other existing laws.

[SB 504\(Runner\)](#) Sex offenders: monitoring by global positioning systems. (A-04/13/2009 [html](#) [pdf](#))

Status: 04/13/2009-From committee with author's amendments. Read second time. Amended. Re-referred to Com. on RLS.

Location: 04/13/2009-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 every inmate who has been convicted for any felony violation of a registerable sex offense or any attempt to commit one of those offenses who is committed to prison and released on parole, to be monitored by a global positioning system for life. This bill would allow the monitoring of these offenders by the local law enforcement agency with jurisdiction over the city, county, or city and county, in which these offenders reside and with which they are required to register. The bill would make other technical changes.

[SB 564\(Hollingsworth\)](#) Sexually violent predators. (A-04/02/2009 [html](#) [pdf](#))

Status: 04/13/2009-Re-referred to Com. on PUB. S.

Location: 04/13/2009-S 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 provides for the civil commitment of criminal offenders who have been determined to be sexually violent predators for treatment in a secure state hospital facility, as specified. Existing law also sets forth provisions governing the release of sexually violent predators from state custody. This bill would require sexually violent predators who are released from civil commitment in a state hospital after January 1, 2010, to be placed in a reentry facility administered by the State Department of Mental Health until suitable housing is found.

[SB 566\(Hollingsworth\)](#) Monitoring devices: unauthorized removal, disabling, or tampering. (I-02/27/2009 [html](#) [pdf](#))

Status: 03/26/2009-Set for hearing April 28.

Location: 03/12/2009-S 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

Calendar: 04/28/09 9:30 a.m. - John L. Burton Hearing Room (4203) SEN PUBLIC SAFETY

Summary: Existing law provides various programs of in-home detention and monitoring, and regulates conduct on parole, including requiring parolees to wear global positioning system (GPS) devices, as specified. This bill would make the unauthorized removal, disabling, or tampering with a GPS device affixed as a condition of a criminal court order, juvenile court disposition, parole, or probation a crime, punishable as specified. The bill would require the court, if applicable, to order restitution in an amount equivalent to the replacement cost of the electronic, GPS, or other monitoring device. By creating new crimes, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

[SB 583\(Hollingsworth\)](#) Sex offenders. (A-03/31/2009 [html](#) [pdf](#))

Status: 04/13/2009-Set for hearing April 28.

Location: 04/02/2009-S 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

Calendar: 04/28/09 9:30 a.m. - John L. Burton Hearing Room (4203) SEN PUBLIC SAFETY

Summary: Existing law requires the Department of Justice to make available to the public via an Internet Web site certain information relating to certain registered sex offenders, including the address at which the person resides, as specified. This bill would require the department to classify each address at which a registered sex offender resides with a unique identifier that shall include the nature of the dwelling, as specified. This bill would also require the department to maintain those classifications within a private searchable database and provide that information to other state agencies, including the State Department of Social Services, when those agencies need the information for investigative responsibilities relative to sex offenders.

[SB 584\(Hollingsworth\)](#) Sex offenders: Internet access. (I-02/27/2009 [html](#) [pdf](#))

Status: 04/14/2009-Set, first hearing. Hearing canceled at the request of author.

Location: 03/19/2009-S 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, the Sex Offender Registration Act, requires persons who have been convicted of specified sex offenses to register with local law enforcement, as specified. Under existing law, failure to register is a crime. This bill would require any person who is required to register under the act for committing a crime where the trier of fact made a finding that a computer was used to facilitate the commission of the crime, to inform the registering agent as to whether or not he or she has access to a computer or other device with Internet capability. If the status of having access to a computer or other device changes, the person would be required to so inform the registering agency within 5 days. By expanding the scope of a crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

[SB 588](#)(Committee on Public Safety) Sex Offender Management Board. (I-02/27/2009 [html](#) [pdf](#))

Status: 04/14/2009-Set for hearing April 20.

Location: 03/31/2009-S APPR.

[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: 04/20/09 11 a.m. - John L. Burton Hearing Room (4203) SEN APPROPRIATIONS

Summary: Existing law establishes the Sex Offender Management Board, as specified, under the jurisdiction of the Department of Corrections and Rehabilitation. The purpose of the board is to address issues, concerns, and problems related to the community management of the state's adult sex offenders, with a goal of safer communities and reduced victimization. Existing law requires the board to conduct a thorough assessment of current management practices for adult sex offenders and to submit a report to the Legislature on that assessment. Under existing law, the board is also required to develop recommendations to improve management practices for those offenders, as specified, and the provisions creating the board remain effective only until January 1, 2010. This bill would delete the repeal date of January 1, 2010, thereby making those provisions operative indefinitely.

[SB 668](#)(Hollingsworth) Sex offenders. (A-04/14/2009 [html](#) [pdf](#))

Status: 04/14/2009-From committee with author's amendments. Read second time. Amended. Re-referred to Com. on PUB. S.

Location: 04/14/2009-S 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

Calendar: 04/28/09 9:30 a.m. - John L. Burton Hearing Room (4203) SEN PUBLIC SAFETY

Summary: Existing law , the Sex Offender Registration Act, requires persons convicted of specified sex offenses to register with local authorities for life while residing, located, attending school, or working in California, and requires preregistration and reregistration, as specified. Existing law also provides that the failure to provide information required on registration and reregistration forms of the Department of Justice, or the provision of false information, is punishable by imprisonment in a county jail not to exceed one year. This bill would instead provide that the failure to provide information required on registration and reregistration forms of the Department of Justice, or the provision of false information, is a crime punishable by imprisonment in a county jail for a period not exceeding one year, or by imprisonment in the state prison, depending on whether the sex offense which was the basis for requiring registration was either a misdemeanor or felony . This bill contains other related provisions and other existing laws.

[SB 669](#)(Hollingsworth) Sexually violent predators. (A-04/14/2009 [html](#) [pdf](#))

Status: 04/14/2009-From committee with author's amendments. Read second time. Amended. Re-referred to Com. on PUB. S.

Location: 04/14/2009-S 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

Calendar: 04/28/09 9:30 a.m. - John L. Burton Hearing Room (4203) SEN PUBLIC SAFETY

Summary: Existing law provides that the Director of Mental Health shall provide each person who is committed as a sexually violent predator with an annual written report which shall include

consideration of whether the committed person currently meets the definition of a sexually violent predator and whether conditional or unconditional release is in the best interests of the committed person and the community, as specified. This bill would provide that, at the hearing on the issue of whether the committed person should be conditionally released or unconditionally discharged, the committed person's failure to participate in or complete the State Department of Mental Health Sex Offender Commitment Program may be considered evidence that his or her condition has not changed, and a jury shall be so instructed. This bill contains other existing laws.

[SB 689](#)([Hollingsworth](#)) Sex offenders: sexually violent predators: monitoring information.

(A-04/13/2009 [html](#) [pdf](#))

Status: 04/13/2009-From committee with author's amendments. Read second time. Amended. Re-referred to Com. on PUB. S. Set for hearing April 28.

Location: 04/13/2009-S 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

Calendar: 04/28/09 9:30 a.m. - John L. Burton Hearing Room (4203) SEN PUBLIC SAFETY

Summary: Existing law, as amended by Proposition 83 of the November 7, 2006, statewide general election, requires every inmate who has been convicted of any felony violation of a registerable sex offense or an attempt to commit any of specified sex crimes, and who is committed to prison and released on parole, to be monitored by a global positioning system for life. This bill would require the Department of Justice to develop and implement a fully Web-enabled system to provide the public, via an Internet Web site, with monitoring and mapping information showing the actual, physical location in real time of sex offenders who have been declared sexually violent predators, as specified. This bill contains other related provisions and other existing laws.