

AMENDED IN SENATE JUNE 12, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 81

Introduced by Committee on Budget (Blumenfield (Chair), Bloom, Bonilla, Campos, Chesbro, Daly, Dickinson, Gordon, Jones-Sawyer, Mitchell, Mullin, Muratsuchi, Nazarian, Rendon Skinner, Stone, and Ting)

January 10, 2013

~~An act relating to the Budget Act of 2013.~~ *An act to amend Sections 29552, 30027.9, 30061, and 30070 of the Government Code, to amend Sections 1170, 1203.2, 3000.08, 3003, 3451, and 13821 of, to amend and repeal Section 326.3 of, and to add Sections 4019.1 and 5003.2 to, the Penal Code, and to amend Sections 1955, 1984, 18220, and 18220.1 of the Welfare and Institutions Code, relating to public safety, and making an appropriation therefor, to take effect immediately, bill related to the budget.*

LEGISLATIVE COUNSEL'S DIGEST

AB 81, as amended, Committee on Budget. ~~Budget Act of 2013.~~ *Public safety.*

(1) Existing law establishes in the State Treasury the Local Revenue Fund 2011, a continuously appropriated fund, and requires that its funds be allocated exclusively for public safety services, as defined. Existing law further establishes the Law Enforcement Services Account within that fund, and creates the Enhancing Law Enforcement Activities Subaccount and the Juvenile Justice Subaccount within the Law Enforcement Services Account.

Existing law, commencing with the 2012–13 fiscal year, allocates specified funds from the Enhancing Law Enforcement Activities

Subaccount to local governments, including to cities and counties that charge fees to a city, special district, community college district, college, or university for the booking or detention of a person arrested and brought to a detention facility of the city or county, as specified. Existing law also allocates certain percentages of the moneys deposited in the subaccount as follows: 3.78% to county sheriffs' departments to enhance law enforcement efforts in specified counties; 8.35% for use by the California Multi-Jurisdictional Methamphetamine Enforcement Teams, Multi-Agency Gang Enforcement Consortium, Sexual Assault Felony Enforcement Teams, High Technology Theft Apprehension and Prosecution Program, Gang Violence Suppression Program, and the Central Valley and Central Coast Rural Crime Prevention Programs, as specified; 30.99% to specified counties to serve children who are habitual truants, runaways, at risk of being wards of the court, or under juvenile court supervision or supervision of the probation department, as prescribed; and 6.01% to counties that operate juvenile camps and ranches, based on the number of beds in each camp.

Existing law requires each county to establish in the county treasury a Supplemental Law Enforcement Services Account for the receipt of all amounts allocated to a county for specified local law enforcement purposes, including jail construction and operation, criminal prosecution, and juvenile justice plans. Existing law requires the Controller to allocate funds to local jurisdictions for these purposes as annually calculated by the Director of Finance.

Existing law establishes the Youthful Offender Block Grant Special Account in the Juvenile Justice Subaccount, and requires that allocations from that account be used to enhance the capacity of county departments to provide appropriate rehabilitative and supervision services to youthful offenders. Existing law requires that these funds be allocated in 4 equal installments, to be paid in September, December, March, and June, pursuant to a specified formula.

Existing law establishes the Juvenile Reentry Grant Special Account in the Juvenile Justice Subaccount and requires that its funds be allocated for the purpose of providing for the local supervision of persons discharged from the custody of the Division of Juvenile Facilities. Existing law requires that the amount allocated to each county probation department from that account be distributed in 2 equal payments to be paid on October 30 and May 30 of each fiscal year pursuant to specified criteria.

This bill would require the Controller to allocate funds from the above-described accounts for those same purposes and in the same amounts, but would require that the allocations be made in monthly installments.

(2) Existing law establishes the Law Enforcement Services Growth Subaccount within the Local Revenue Fund 2011 in the State Treasury. Existing law requires the Controller, in the 2012–13 fiscal year, to allocate funds from the Law Enforcement Services Growth Subaccount to specified accounts relating to criminal justice.

This bill would instead require the Controller to make those allocations commencing with the 2012–13 fiscal year.

(3) The California Constitution allows the Legislature, by statute, to authorize cities and counties to provide for bingo games for charitable purposes. Existing law authorizes cities and counties to permit eligible nonprofit organizations to conduct bingo games and remote caller bingo games, as defined, for charitable purposes pursuant to an ordinance that allows those games to be conducted in accordance with specified requirements. Existing law requires the California Gambling Control Commission to regulate remote caller bingo, including licensure and operation. Existing law requires any person who conducts a remote caller bingo game to be licensed. Existing law requires the commission to approve all equipment used for remote caller bingo in advance, to monitor operation of the transmission and other equipment used for remote caller bingo, and to monitor the game. Existing law requires the Department of Justice to conduct background investigations and conduct field enforcement as it relates to remote caller bingo consistent with existing law and as specified in regulations promulgated by the commission.

Existing law and the Governor’s Reorganization Plan No. 2 of 2012 (GRP 2), effective on July 3, 2012, and operative on July 1, 2013, consolidates the support, investigatory, auditing, and compliance functions of the California Gambling Control Commission and transfers these duties to the Department of Justice. The commission retains jurisdiction over the licensing, policies, regulations, criteria, and standards pertaining to gaming.

This bill would additionally require the licensure of any person who contracts to conduct remote caller bingo on behalf of an authorized organization or who is identified as having fiduciary responsibility of the game. The bill would establish an annual licensing fee in an amount determined by the department, not to exceed the reasonable regulatory

costs to the department and in accordance with regulations adopted by the department. The bill would require that prior to the adoption of regulations, the nonrefundable license fee would be the amount of the reasonable regulatory costs to the department not to exceed \$3,000, for any person or entity that directly or indirectly manufactures, distributes, supplies, vends, leases, or otherwise provides supplies, devices, services, or other equipment designed for use in the playing of a remote caller bingo game by any nonprofit organization. The bill would require the department to conduct any background investigation related to remote caller bingo in accordance with existing law and as specified in regulations promulgated by the commission or the department.

This bill would reallocate additional functions among the commission and the department with regard to remote caller bingo. The bill would require a remote caller bingo site, for each participating remote caller bingo site, to notify the department and local law enforcement of its intent to conduct a game, rather than the commission. The bill would require all equipment used for remote caller bingo to be certified as compliant with specified regulations by a manufacturing expert recognized by the department. The bill would require equipment certifications to be submitted to the department prior to the equipment's use. The bill would also authorize the department, rather than the commission, to monitor the operation of the transmission and other equipment used for remote caller bingo, and to monitor the game. The bill would transfer the auditing functions of the commission to the department, as those functions relate to remote caller bingo. The bill would also make various technical, nonsubstantive conforming changes to further reflect GRP 2.

Existing law authorizes certain loans from the Gambling Control Fund to the California Bingo Fund to fund operating, personnel, and other startup costs incurred by the commission related to remote caller bingo. Existing law requires these loans to be repaid no later than 5 years after the date of the loan. Existing law requires that funds from the California Bingo Fund be available to the commission upon appropriation by the Legislature in the annual Budget Act. Existing law also authorizes the commission to assess and collect reasonable fees and deposits as necessary to defray the costs of regulation and oversight.

This bill would require the previously described loans to the California Bingo Fund to be repaid by July 1, 2019. The bill would

require funds from the California Bingo Fund be available to both the commission and the department upon appropriation by the Legislature in the annual Budget Act. The bill would additionally authorize the department to assess and collect reasonable fees and deposits to defray the costs of regulation and oversight.

This bill would make these provisions inoperative on July 1, 2016, and would repeal the remote caller bingo program as of January 1, 2017.

(4) Existing law defines a felony as a crime that is punishable by death, imprisonment in the state prison, or imprisonment in a county jail for a term greater than one year, as specified. Existing law also provides exceptions to imprisonment in a county jail for a variety of felonies, including serious or violent felonies and any felony for which registration as a sex offender is required, among other exceptions.

Existing law provides that, when a court commits a person to county jail for a felony, the portion of a defendant's sentenced term during which time he or she is supervised by the county probation officer is known as mandatory supervision.

This bill would specify that mandatory supervision begins upon release from custody. By increasing the duties of county probation officers, the bill would impose a state-mandated local program.

(5) Existing law generally requires that all persons released from prison on and after October 1, 2011, after serving a prison term for a felony, be subject to postrelease community supervision provided by a county agency for a period of 3 years immediately following release, except for persons released after serving a term for a serious felony, a violent felony, an offense for which the person was sentenced pursuant to the "Three Strikes" law, a crime where the person is classified as a high-risk sex offender, or a crime where the person is required to undergo treatment by the State Department of State Hospitals because the person has a severe mental disorder. Existing law requires these persons to be subject to parole supervision by the Department of Corrections and Rehabilitation following release from state prison and the jurisdiction of the court in the county in which the parolee is released or resides for the purpose of hearing petitions to revoke parole and impose a term of custody.

This bill would require persons subject to parole supervision to additionally be subject to the jurisdiction of the court in the county in which the alleged violation of supervision occurred for the purpose of

hearing petitions to revoke parole and impose a term of custody. The bill would make conforming changes.

This bill would also require a person released to parole to remain on parole after having served 60 days on parole, regardless of a subsequent determination that the person should have been released to postrelease community supervision. The bill would likewise require a person released to postrelease community supervision to remain on postrelease community supervision after having served 60 days on postrelease community supervision, regardless of a subsequent determination that the person should have been released to parole.

By requiring county agencies to supervise persons on postrelease community supervision who should have been released to parole, this bill would impose a state-mandated local program.

(6) Existing law provides for postrelease community supervision by county officials for persons convicted of certain specified felonies upon release from the state prison or a county jail. Existing law requires the Department of Corrections and Rehabilitation to release prescribed information to local law enforcement agencies regarding a paroled inmate or inmate placed on postrelease supervision, including the inmate's name, contact information, description, and the offense or offenses for which the inmate was incarcerated.

This bill would require the department to electronically transmit to the county agency responsible for postrelease community supervision the inmate's tuberculosis status, specific medical, mental health, and outpatient clinic needs, and any medical concerns or disabilities for the purpose of identifying the medical and mental health needs of the individual. The bill would require the information to be transferred in conformity with specified federal laws, including the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA). Operation of the bill would be conditional on the Secretary of the United States Department of Health and Human Services, or his or her designee, determining that this provision is not preempted by HIPAA.

(7) Under existing law, when a prisoner is confined to county jail, an industrial farm, or a road camp, for each 4-day period in which he or she is confined, he or she may have one day or 2 days deducted from his or her period of confinement, as specified. Existing law allows any inmate sentenced to a county jail assigned to a conservation camp by a sheriff and who is eligible to earn one day of credit for every one day of incarceration to earn 2 days of credit for every one day of service. Existing law allows any inmate who has completed training for

assignment to a conservation camp or to a state or county facility as an inmate firefighter or who is assigned to a county or state correctional institution as an inmate firefighter and who is eligible to earn one day of credit for every one day of incarceration to instead earn 2 days of credit for every one day served in that assignment or after completing that training.

This bill would instead allow the sheriff or county director of corrections to award one and a half days credit for every day of incarceration to any inmate sentenced to the county jail who participates in an in custody work or job training program other than those specified above.

(8) Existing law establishes the Department of Corrections and Rehabilitation, which has jurisdiction over state prisons and parole of offenders released from state prisons.

This bill would require, except in prescribed emergencies, the Secretary of the Department of Corrections and Rehabilitation, or his or her designee, to provide written notification to any county impacted by the opening, closure, or change of location of any reception center that accepts prisoners from county facilities or a parole office and would require this notice to be sent to the California State Association of Counties, the California State Sheriffs' Association, and the Chief Probation Officers of California.

(9) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

(10) The bill would appropriate \$2,000 from the California Bingo Fund to the Gambling Control Commission for the purpose of supporting workload associated with the licensing of remote caller bingo vendors, as provided.

(11) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

~~This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2013.~~

Vote: majority. Appropriation: ~~no~~-yes. Fiscal committee: ~~no~~
yes. State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 29552 of the Government Code is
2 amended to read:

3 29552. (a) (1) Commencing with the 2007–08 fiscal year, all
4 counties and cities and counties that charged fees pursuant to
5 Section 29550 and cities with Type One detention facilities that
6 charged fees pursuant to Section 29550.3 during the 2006–07 fiscal
7 year may apply to the Controller to receive funding provided
8 pursuant to subdivision (b) that is equal to the fee revenue received
9 by the county, city and county, or city during the 2006–07 fiscal
10 year, to the extent that funding is appropriated therefore in the
11 annual budget act or other appropriation legislation. If insufficient
12 funds are appropriated to equal the full amount of fees received
13 in the 2006–07 fiscal year, each county, city and county and city
14 that applies for funding shall receive a share of the appropriated
15 funds proportionate to the share of fees it received in the 2006–07
16 fiscal year compared to the statewide total reported to the
17 Controller.

18 (2) The remaining portion of any amount appropriated for
19 purposes of this section shall be paid proportionally to all counties,
20 cities and counties, and cities based on the number of bookings
21 within each county during the year previous to the current payment.

22 (b) Commencing with the 2011–12 fiscal year, payments
23 authorized by this section shall be fully funded from the Local
24 Law Enforcement Services Account in the Local Revenue Fund
25 2011. The Controller shall allocate thirty-five million dollars
26 (\$35,000,000) of the moneys annually deposited in the Local Law
27 Enforcement Services Account in the Local Revenue Fund 2011
28 for purposes of these payments.

29 (c) Commencing with the 2012–13 fiscal year, the Controller
30 shall allocate funds from the Enhancing Law Enforcement
31 Activities Subaccount as follows:

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Alameda County	\$2,319,980
Amador County	\$21,403
City of Baldwin Park	\$4,539
Butte County	\$113,887
Calaveras County	\$8,559

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Colusa County	\$7,017
Contra Costa County	\$1,897,056
Del Norte County	\$37,501
El Dorado County	\$89,793
City of Fremont	\$250,268
Fresno County	\$1,409,727
Glenn County	\$47,036
City of Hayward	\$11,098
Humboldt County	\$384,311
Inyo County	\$3,522
Kern County	\$732,680
Kings County	\$120,140
Lake County	\$84,030
Lassen County	\$24,041
Los Angeles County	\$676,989
Madera County	\$124,054
Marin County	\$222,060
Mendocino County	\$138,730
Merced County	\$219,669
Modoc County	\$3,244
Monterey County	\$613,463
City of Monterey	\$4,880
Napa County	\$107,578
Nevada County	\$94,239
City of Palm Springs	\$45,986
Placer County	\$464,844
City of Pomona	\$73,757
Riverside County	\$3,413,483
Sacramento County	\$2,247,151
San Benito County	\$32,312
San Bernardino County	\$2,758,057
San Diego County	\$5,818,271
San Joaquin County	\$796,780
San Luis Obispo County	\$456,312
San Mateo County	\$758,641
Santa Barbara County	\$502,813
Santa Clara County	\$3,165,148
Santa Cruz County	\$585,814

1	Shasta County	\$257,005
2	Siskiyou County	\$48,850
3	Solano County	\$848,012
4	Sonoma County	\$791,066
5	Stanislaus County	\$832,424
6	Sutter County	\$64,179
7	Tehama County	\$50,421
8	Tulare County	\$829,642
9	Tuolumne County	\$32,612
10	Yolo County	\$310,820
11	Yuba County	\$44,106

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 13 (d) Commencing with the 2013–14 fiscal year, the Controller
 14 shall allocate funds from the Enhancing Law Enforcement
 15 Activities Subaccount in monthly installments. The annual payments
 16 to be made to each jurisdiction are as follows:
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19	<i>Alameda County</i>	<i>\$2,319,980</i>
20	<i>Amador County</i>	<i>\$21,403</i>
21	<i>City of Baldwin Park</i>	<i>\$4,539</i>
22	<i>Butte County</i>	<i>\$113,887</i>
23	<i>Calaveras County</i>	<i>\$8,559</i>
24	<i>Colusa County</i>	<i>\$7,017</i>
25	<i>Contra Costa County</i>	<i>\$1,897,056</i>
26	<i>Del Norte County</i>	<i>\$37,501</i>
27	<i>El Dorado County</i>	<i>\$89,793</i>
28	<i>City of Fremont</i>	<i>\$250,268</i>
29	<i>Fresno County</i>	<i>\$1,409,727</i>
30	<i>Glenn County</i>	<i>\$47,036</i>
31	<i>City of Hayward</i>	<i>\$11,098</i>
32	<i>Humboldt County</i>	<i>\$384,311</i>
33	<i>Inyo County</i>	<i>\$3,522</i>
34	<i>Kern County</i>	<i>\$732,680</i>
35	<i>Kings County</i>	<i>\$120,140</i>
36	<i>Lake County</i>	<i>\$84,030</i>
37	<i>Lassen County</i>	<i>\$24,041</i>
38	<i>Los Angeles County</i>	<i>\$676,989</i>
39	<i>Madera County</i>	<i>\$124,054</i>
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Marin County	\$222,060
Mendocino County	\$138,730
Merced County	\$219,669
Modoc County	\$3,244
Monterey County	\$613,463
City of Monterey	\$4,880
Napa County	\$107,578
Nevada County	\$94,239
City of Palm Springs	\$45,986
Placer County	\$464,844
City of Pomona	\$73,757
Riverside County	\$3,413,483
Sacramento County	\$2,247,151
San Benito County	\$32,312
San Bernardino County	\$2,758,057
San Diego County	\$5,818,271
San Joaquin County	\$796,780
San Luis Obispo County	\$456,312
San Mateo County	\$758,641
Santa Barbara County	\$502,813
Santa Clara County	\$3,165,148
Santa Cruz County	\$585,814
Shasta County	\$257,005
Siskiyou County	\$48,850
Solano County	\$848,012
Sonoma County	\$791,066
Stanislaus County	\$832,424
Sutter County	\$64,179
Tehama County	\$50,421
Tulare County	\$829,642
Tuolumne County	\$32,612
Yolo County	\$310,820
Yuba County	\$44,106

36 *SEC. 2. Section 30027.9 of the Government Code is amended*
37 *to read:*

38 30027.9. (a) (1) For the 2012–13 fiscal year, from the Sales
39 and Use Tax Growth Account, the Controller shall allocate 65

1 percent to the Support Services Growth Subaccount and 35 percent
2 to the Law Enforcement Services Growth Subaccount.

3 (2) For the 2013–14 fiscal year, from the Sales and Use Tax
4 Growth Account, the Controller shall first allocate to the Support
5 Services Account and the Law Enforcement Services Account the
6 amounts necessary to provide full base funding or the appropriate
7 level of funding as described in this section. If there are insufficient
8 moneys to fully fund the accounts, the available funds shall be
9 distributed in the same proportions as the two accounts received
10 from the Local Revenue Fund 2011 in the 2013–14 fiscal year. If
11 there are funds remaining after base funding has been restored,
12 the Controller shall allocate 65 percent of those remaining funds
13 to the Support Services Growth Subaccount and 35 percent to the
14 Law Enforcement Services Growth Subaccount.

15 (A) The amount necessary to provide the appropriate level of
16 funding for the Law Enforcement Services Account shall be the
17 sum of the following:

18 (i) The greater of the amounts that either the predecessor of the
19 Trial Court Security Subaccount received in the 2011–12 fiscal
20 year, or the total amount the Trial Court Security Subaccount and
21 the Trial Court Security Growth Special Account received in the
22 2012–13 fiscal year.

23 (ii) The greater of the amounts that either the predecessor of the
24 Juvenile Justice Subaccount received in the 2011–12 fiscal year,
25 or the total amount the Juvenile Justice Subaccount and the Juvenile
26 Justice Growth Special Account received in the 2012–13 fiscal
27 year.

28 (iii) The maximum amount authorized to be allocated pursuant
29 to paragraph (2) of subdivision (e) of Section 30027.5 to the
30 Community Corrections Subaccount.

31 (iv) The maximum amount authorized to be allocated pursuant
32 to paragraph (3) of subdivision (e) of Section 30027.5 to the
33 District Attorney and Public Defender Subaccount.

34 (B) The amount necessary to provide full base funding for the
35 Support Services Account shall be the sum of the following:

36 (i) The maximum amount authorized to be allocated pursuant
37 to paragraph (1) of subdivision (f) of Section 30027.5 to the
38 Behavioral Health Subaccount.

1 (ii) The maximum amount authorized to be allocated pursuant
2 to paragraph (2) of subdivision (f) of Section 30027.5 to the
3 Protective Services Subaccount.

4 (3) For the 2014–15 fiscal year, from the Sales and Use Tax
5 Growth Account, the Controller shall first allocate to the Support
6 Services Account and the Law Enforcement Services Account the
7 amounts necessary to provide full base funding or the appropriate
8 level of funding as described in this section. If there are insufficient
9 moneys to fully fund the accounts, the available funds shall be
10 distributed in the same proportions as the two accounts received
11 from the Local Revenue Fund 2011 in the 2014–15 fiscal year. If
12 there are funds remaining after base funding has been restored,
13 the Controller shall allocate 65 percent of the remaining funds to
14 the Support Services Growth Subaccount and 35 percent to the
15 Law Enforcement Services Growth Subaccount.

16 (A) The amount necessary to provide the appropriate level of
17 funding for the Law Enforcement Services Account shall be the
18 sum of the following:

19 (i) The greater of either the total amount received by the Trial
20 Court Security Subaccount and the Trial Court Security Growth
21 Special Account in a single fiscal year beginning with the 2012–13
22 fiscal year or the amount the applicable predecessor account
23 received in the 2011–12 fiscal year.

24 (ii) The greater of either the total amount received by the
25 Juvenile Justice Subaccount and the Juvenile Justice Growth
26 Special Account in a single fiscal year beginning with the 2012–13
27 fiscal year or the amount the applicable predecessor account
28 received in the 2011–12 fiscal year.

29 (iii) The greatest amount received by the Community
30 Corrections Subaccount in a single year beginning with the
31 2012–13 fiscal year.

32 (iv) The greatest amount received by the District Attorney and
33 Public Defender Subaccount in a single year beginning with the
34 2012–13 fiscal year.

35 (B) The amount necessary to provide full funding for the Support
36 Services Account shall be the sum of the following:

37 (i) The greater of either the maximum amount that could be
38 allocated pursuant to paragraph (1) of subdivision (f) of Section
39 30027.5 or the largest combined total amounts actually received
40 by the Behavioral Health Subaccount and the Behavioral Health

1 Services Growth Special Account in any single year beginning
2 with the 2012–13 fiscal year.

3 (ii) The greater of either the maximum amount that was allocated
4 pursuant to paragraph (2) of subdivision (f) of Section 30027.5,
5 or the amount that was allocated pursuant to paragraph (2) of
6 subdivision (f) of Section 30027.6, to the Protective Services
7 Subaccount.

8 (4) For the 2015–16 fiscal year, and for each subsequent fiscal
9 year, from the Sales and Use Tax Growth Account, the Controller
10 shall first allocate to the Support Services Account and the Law
11 Enforcement Services Account the amounts necessary to provide
12 full base funding as described in this section. If there are
13 insufficient moneys to fully fund the accounts, the available funds
14 shall be distributed in the same proportions as the two accounts
15 received funding from the Local Revenue Fund 2011 in that fiscal
16 year. If there are funds remaining after base funding has been
17 restored, the Controller shall allocate 65 percent of the remaining
18 funds to the Support Services Growth Subaccount and 35 percent
19 to the Law Enforcement Services Growth Subaccount.

20 (A) The amount necessary to provide full base funding for the
21 Law Enforcement Services Account shall be the sum of the
22 following:

23 (i) The greater of either the total combined amount received by
24 the Trial Court Security Subaccount and the Trial Court Security
25 Growth Special Account in any single fiscal year beginning with
26 the 2012–13 fiscal year or the amount the applicable predecessor
27 account received in 2011–12.

28 (ii) The greater of either the total combined amount received
29 by the Juvenile Justice Subaccount and the Juvenile Justice Growth
30 Special Account in any single fiscal year beginning with the
31 2012–13 fiscal year or the amount the applicable predecessor
32 account received in 2011–12.

33 (iii) The greater of either the total combined amount received
34 by the Community Corrections Subaccount and the Community
35 Corrections Growth Special Account in any single fiscal year
36 beginning with the 2014–15 fiscal year, or the highest amount the
37 Community Corrections Subaccount or its predecessor was
38 authorized to receive in any single fiscal year beginning with the
39 2012–13 fiscal year.

1 (iv) The greater of either the total combined amount received
2 by the District Attorney and Public Defender Subaccount and the
3 District Attorney and Public Defender Growth Special Account
4 in any single fiscal year beginning with the 2014–15 fiscal year,
5 or the highest amount the District Attorney and Public Defender
6 Subaccount or its predecessor was authorized to receive in any
7 single fiscal year beginning with the 2012–13 fiscal year.

8 (B) The amount necessary to provide full base funding for the
9 Support Services Account shall be the sum of the following:

10 (i) The greater of either the maximum amount that was allocated
11 pursuant to paragraph (1) of subdivision (f) of Section 30027.5,
12 or the highest combined total amounts received by the Behavioral
13 Health Subaccount and the Behavioral Health Services Growth
14 Special Account, in any single fiscal year beginning with the
15 2012–13 fiscal year.

16 (ii) The greatest of the following: the maximum amount that
17 was allocated pursuant to paragraph (2) of subdivision (f) of
18 Section 30027.5; the amount that was allocated pursuant to
19 paragraph (2) of subdivision (f) of Section 30027.6 for the
20 Protective Services Subaccount; or the highest combined total
21 amount received by the Protective Services Subaccount and the
22 Protective Services Growth Special Account in any single fiscal
23 year beginning with the 2012–13 fiscal year.

24 (b) (1) ~~In~~ *Commencing with* the 2012–13 fiscal year, the
25 Controller shall allocate funds from the Law Enforcement Services
26 Growth Subaccount as follows:

27 (A) Ten percent to the Trial Court Security Growth Special
28 Account.

29 (B) Five percent to the District Attorney and Public Defender
30 Growth Special Account.

31 (C) Ten percent to the Juvenile Justice Growth Special Account.

32 (D) Seventy-five percent to the Community Corrections Growth
33 Special Account.

34 (2) The total allocations to the Trial Court Security Growth
35 Special Account and the Juvenile Justice Growth Special Account
36 shall be included in the year to which the growth is attributable
37 when determining the base funding level for the Trial Court
38 Security Subaccount and the Juvenile Justice Subaccount
39 respectively, beginning in the 2013–14 fiscal year. The total
40 allocations to the District Attorney and Public Defender Growth

1 Special Account and the Community Corrections Growth Special
2 Account shall be included in the year to which the growth is
3 attributable when determining the base allocation for the respective
4 subaccounts of those accounts beginning in the 2015–16 fiscal
5 year.

6 (c) In the 2012–13 fiscal year, the Controller shall allocate funds
7 from the Support Services Growth Subaccount as follows:

8 (1) Five percent to the Mental Health Subaccount of the Sales
9 Tax Account in the Local Revenue Fund as established by
10 paragraph (1) of subdivision (b) of Section 17600 of the Welfare
11 and Institutions Code.

12 (2) Forty percent to the Protective Services Growth Special
13 Account for the provision of child welfare services.

14 (3) To the Protective Services Growth Special Account: 42.03
15 percent.

16 (4) To the Behavioral Health Services Growth Special Account:
17 12.97 percent.

18 (d) (1) Beginning in the 2013–14 fiscal year, and until the
19 Director of Finance provides to the Controller the certification
20 described in paragraph (3), the Controller shall allocate funds from
21 the Support Services Growth Subaccount as follows:

22 (A) Five percent to the Mental Health Subaccount of the Sales
23 Tax Account in the Local Revenue Fund as established by
24 paragraph (1) of subdivision (b) of Section 17600 of the Welfare
25 and Institutions Code.

26 (B) Forty percent to the Protective Services Growth Special
27 Account for the provision of child welfare services.

28 (C) To the Protective Services Growth Special Account: 21.81
29 percent.

30 (D) To the Behavioral Health Services Growth Special Account:
31 33.19 percent.

32 (2) The total allocations to the Protective Services Growth
33 Special Account and the Behavioral Health Services Growth
34 Special Account provided by this subdivision shall be included as
35 funding in the year in which the allocation is made for determining
36 the base funding level for the following fiscal year.

37 (3) Once a total of two hundred million dollars (\$200,000,000)
38 has been allocated to the Protective Services Growth Special
39 Account pursuant to paragraph (2) of subdivision (c) and
40 subparagraph (B) of paragraph (1), the Director of Finance shall

1 certify that fact to the Controller. Upon that certification, this
2 subdivision shall become inoperative.

3 (e) (1) In every fiscal year, after subdivision (d) becomes
4 inoperative, the Controller shall allocate funds from the Support
5 Services Growth Subaccount as follows:

6 (A) Five percent to the Mental Health Subaccount of the Sales
7 Tax Account in the Local Revenue Fund as established by
8 paragraph (1) of subdivision (b) of Section 17600 of the Welfare
9 and Institutions Code.

10 (B) Forty-five percent to the Protective Services Growth Special
11 Account.

12 (C) Fifty percent to the Behavioral Health Services Growth
13 Special Account.

14 (2) The total allocations to the Protective Services Growth
15 Special Account and Behavioral Health Services Growth Special
16 Account provided by this section shall be included as funding in
17 the year in which the allocation is made for determining the base
18 funding level for the following fiscal year.

19 *SEC. 3. Section 30061 of the Government Code is amended to*
20 *read:*

21 30061. (a) There shall be established in each county treasury
22 a Supplemental Law Enforcement Services Account (SLESA), to
23 receive all amounts allocated to a county for purposes of
24 implementing this chapter.

25 (b) In any fiscal year for which a county receives moneys to be
26 expended for the implementation of this chapter, the county auditor
27 shall allocate the moneys in the county's SLESA within 30 days
28 of the deposit of those moneys into the fund. The moneys shall be
29 allocated as follows:

30 (1) Five and fifteen-hundredths percent to the county sheriff for
31 county jail construction and operation. In the case of Madera,
32 Napa, and Santa Clara Counties, this allocation shall be made to
33 the county director or chief of corrections.

34 (2) Five and fifteen-hundredths percent to the district attorney
35 for criminal prosecution.

36 (3) Thirty-nine and seven-tenths percent to the county and the
37 cities within the county, and, in the case of San Mateo, Kern,
38 Siskiyou, and Contra Costa Counties, also to the Broadmoor Police
39 Protection District, the Bear Valley Community Services District,
40 the Stallion Springs Community Services District, the Lake

1 Shastina Community Services District, and the Kensington Police
2 Protection and Community Services District, in accordance with
3 the relative population of the cities within the county and the
4 unincorporated area of the county, and the Broadmoor Police
5 Protection District in the County of San Mateo, the Bear Valley
6 Community Services District and the Stallion Springs Community
7 Services District in Kern County, the Lake Shastina Community
8 Services District in Siskiyou County, and the Kensington Police
9 Protection and Community Services District in Contra Costa
10 County, as specified in the most recent January estimate by the
11 population research unit of the Department of Finance, and as
12 adjusted to provide, except as provided in subdivision (j), a grant
13 of at least one hundred thousand dollars (\$100,000) to each law
14 enforcement jurisdiction. For a newly incorporated city whose
15 population estimate is not published by the Department of Finance,
16 but that was incorporated prior to July 1 of the fiscal year in which
17 an allocation from the SLESA is to be made, the city manager, or
18 an appointee of the legislative body, if a city manager is not
19 available, and the county administrative or executive officer shall
20 prepare a joint notification to the Department of Finance and the
21 county auditor with a population estimate reduction of the
22 unincorporated area of the county equal to the population of the
23 newly incorporated city by July 15, or within 15 days after the
24 Budget Act is enacted, of the fiscal year in which an allocation
25 from the SLESA is to be made. No person residing within the
26 Broadmoor Police Protection District, the Bear Valley Community
27 Services District, the Stallion Springs Community Services District,
28 the Lake Shastina Community Services District, or the Kensington
29 Police Protection and Community Services District shall also be
30 counted as residing within the unincorporated area of the County
31 of San Mateo, Kern, Siskiyou, or Contra Costa, or within any city
32 located within those counties. Except as provided in subdivision
33 (j), the county auditor shall allocate a grant of at least one hundred
34 thousand dollars (\$100,000) to each law enforcement jurisdiction.
35 Moneys allocated to the county pursuant to this subdivision shall
36 be retained in the county SLESA, and moneys allocated to a city
37 pursuant to this subdivision shall be deposited in an SLESA
38 established in the city treasury.

39 (4) Fifty percent to the county or city and county to implement
40 a comprehensive multiagency juvenile justice plan as provided in

1 this paragraph. The juvenile justice plan shall be developed by the
2 local juvenile justice coordinating council in each county and city
3 and county with the membership described in Section 749.22 of
4 the Welfare and Institutions Code. If a plan has been previously
5 approved by the Corrections Standards Authority or, commencing
6 July 1, 2012, by the Board of State and Community Corrections,
7 the plan shall be reviewed and modified annually by the council.
8 The plan or modified plan shall be approved by the county board
9 of supervisors, and in the case of a city and county, the plan shall
10 also be approved by the mayor. The plan or modified plan shall
11 be submitted to the Board of State and Community Corrections
12 by May 1 of each year.

13 (A) Juvenile justice plans shall include, but not be limited to,
14 all of the following components:

15 (i) An assessment of existing law enforcement, probation,
16 education, mental health, health, social services, drug and alcohol,
17 and youth services resources that specifically target at-risk
18 juveniles, juvenile offenders, and their families.

19 (ii) An identification and prioritization of the neighborhoods,
20 schools, and other areas in the community that face a significant
21 public safety risk from juvenile crime, such as gang activity,
22 daylight burglary, late-night robbery, vandalism, truancy, controlled
23 substances sales, firearm-related violence, and juvenile substance
24 abuse and alcohol use.

25 (iii) A local juvenile justice action strategy that provides for a
26 continuum of responses to juvenile crime and delinquency and
27 demonstrates a collaborative and integrated approach for
28 implementing a system of swift, certain, and graduated responses
29 for at-risk youth and juvenile offenders.

30 (iv) Programs identified in clause (iii) that are proposed to be
31 funded pursuant to this subparagraph, including the projected
32 amount of funding for each program.

33 (B) Programs proposed to be funded shall satisfy all of the
34 following requirements:

35 (i) Be based on programs and approaches that have been
36 demonstrated to be effective in reducing delinquency and
37 addressing juvenile crime for any elements of response to juvenile
38 crime and delinquency, including prevention, intervention,
39 suppression, and incapacitation.

- 1 (ii) Collaborate and integrate services of all the resources set
2 forth in clause (i) of subparagraph (A), to the extent appropriate.
- 3 (iii) Employ information sharing systems to ensure that county
4 actions are fully coordinated, and designed to provide data for
5 measuring the success of juvenile justice programs and strategies.
- 6 (iv) Adopt goals related to the outcome measures that shall be
7 used to determine the effectiveness of the local juvenile justice
8 action strategy.
- 9 (C) The plan shall also identify the specific objectives of the
10 programs proposed for funding and specified outcome measures
11 to determine the effectiveness of the programs and contain an
12 accounting for all program participants, including those who do
13 not complete the programs. Outcome measures of the programs
14 proposed to be funded shall include, but not be limited to, all of
15 the following:
- 16 (i) The rate of juvenile arrests per 100,000 population.
- 17 (ii) The rate of successful completion of probation.
- 18 (iii) The rate of successful completion of restitution and
19 court-ordered community service responsibilities.
- 20 (iv) Arrest, incarceration, and probation violation rates of
21 program participants.
- 22 (v) Quantification of the annual per capita costs of the program.
- 23 (D) The Board of State and Community Corrections shall review
24 plans or modified plans submitted pursuant to this paragraph within
25 30 days upon receipt of submitted or resubmitted plans or modified
26 plans. The board shall approve only those plans or modified plans
27 that fulfill the requirements of this paragraph, and shall advise a
28 submitting county or city and county immediately upon the
29 approval of its plan or modified plan. The board shall offer, and
30 provide, if requested, technical assistance to any county or city
31 and county that submits a plan or modified plan not in compliance
32 with the requirements of this paragraph. The SLESA shall only
33 allocate funding pursuant to this paragraph upon notification from
34 the board that a plan or modified plan has been approved.
- 35 (E) To assess the effectiveness of programs funded pursuant to
36 this paragraph using the program outcome criteria specified in
37 subparagraph (C), the following periodic reports shall be submitted:
- 38 (i) Each county or city and county shall report, beginning
39 October 15, 2002, and annually each October 15 thereafter, to the
40 county board of supervisors and the Board of State and Community

1 Corrections, in a format specified by the board, on the programs
2 funded pursuant to this chapter and program outcomes as specified
3 in subparagraph (C).

4 (ii) The Board of State and Community Corrections shall
5 compile the local reports and, by March 15, 2003, and annually
6 thereafter, make a report to the Governor and the Legislature on
7 program expenditures within each county and city and county from
8 the appropriation for the purposes of this paragraph, on the
9 outcomes as specified in subparagraph (C) of the programs funded
10 pursuant to this paragraph and the statewide effectiveness of the
11 comprehensive multiagency juvenile justice plans.

12 (c) Subject to subdivision (d), for each fiscal year in which the
13 county, each city, the Broadmoor Police Protection District, the
14 Bear Valley Community Services District, the Stallion Springs
15 Community Services District, the Lake Shastina Community
16 Services District, and the Kensington Police Protection and
17 Community Services District receive moneys pursuant to paragraph
18 (3) of subdivision (b), the county, each city, and each district
19 specified in this subdivision shall appropriate those moneys in
20 accordance with the following procedures:

21 (1) In the case of the county, the county board of supervisors
22 shall appropriate existing and anticipated moneys exclusively to
23 provide frontline law enforcement services, other than those
24 services specified in paragraphs (1) and (2) of subdivision (b), in
25 the unincorporated areas of the county, in response to written
26 requests submitted to the board by the county sheriff and the district
27 attorney. Any request submitted pursuant to this paragraph shall
28 specify the frontline law enforcement needs of the requesting
29 entity, and those personnel, equipment, and programs that are
30 necessary to meet those needs.

31 (2) In the case of a city, the city council shall appropriate
32 existing and anticipated moneys exclusively to fund frontline
33 municipal police services, in accordance with written requests
34 submitted by the chief of police of that city or the chief
35 administrator of the law enforcement agency that provides police
36 services for that city.

37 (3) In the case of the Broadmoor Police Protection District
38 within the County of San Mateo, the Bear Valley Community
39 Services District or the Stallion Springs Community Services
40 District within Kern County, the Lake Shastina Community

1 Services District within Siskiyou County, or the Kensington Police
2 Protection and Community Services District within Contra Costa
3 County, the legislative body of that special district shall appropriate
4 existing and anticipated moneys exclusively to fund frontline
5 municipal police services, in accordance with written requests
6 submitted by the chief administrator of the law enforcement agency
7 that provides police services for that special district.

8 (d) For each fiscal year in which the county, a city, or the
9 Broadmoor Police Protection District within the County of San
10 Mateo, the Bear Valley Community Services District or the Stallion
11 Springs Community Services District within Kern County, the
12 Lake Shastina Community Services District within Siskiyou
13 County, or the Kensington Police Protection and Community
14 Services District within Contra Costa County receives any moneys
15 pursuant to this chapter, in no event shall the governing body of
16 any of those recipient agencies subsequently alter any previous,
17 valid appropriation by that body, for that same fiscal year, of
18 moneys allocated to the county or city pursuant to paragraph (3)
19 of subdivision (b).

20 (e) For the 2011–12 fiscal year, the Controller shall allocate
21 23.54 percent of the amount deposited in the Local Law
22 Enforcement Services Account in the Local Revenue Fund 2011
23 for the purposes of paragraphs (1), (2), and (3) of subdivision (b),
24 and shall allocate 23.54 percent for purposes of paragraph (4) of
25 subdivision (b).

26 (f) Commencing with the 2012–13 fiscal year, the Controller
27 shall allocate 21.86 percent of the amount deposited in the
28 Enhancing Law Enforcement Activities Subaccount in the Local
29 Revenue Fund 2011 for the purposes of paragraphs (1) to (3),
30 inclusive, of subdivision (b), and shall allocate 21.86 percent for
31 purposes of paragraph (4) of subdivision (b).

32 (g) ~~The~~ *Commencing with the 2013–14 fiscal year, the*
33 Controller shall allocate funds *in monthly installments* to local
34 jurisdictions for public safety in accordance with this section as
35 annually calculated by the Director of Finance.

36 (h) Funds received pursuant to subdivision (b) shall be expended
37 or encumbered in accordance with this chapter no later than June
38 30 of the following fiscal year. A local agency that has not met
39 the requirement of this subdivision shall remit unspent SLESA
40 moneys received after April 1, 2009, to the Controller for deposit

1 in the Local Safety and Protection Account, after April 1, 2012,
2 to the Local Law Enforcement Services Account, and after July
3 1, 2012, to the County Enhancing Law Enforcement Activities
4 Subaccount.

5 (i) In the 2010–11 fiscal year, if the fourth quarter revenue
6 derived from fees imposed by subdivision (a) of Section 10752.2
7 of the Revenue and Taxation Code that are deposited in the General
8 Fund and transferred to the Local Safety and Protection Account,
9 and continuously appropriated to the Controller for allocation
10 pursuant to this section, are insufficient to provide a minimum
11 grant of one hundred thousand dollars (\$100,000) to each law
12 enforcement jurisdiction, the county auditor shall allocate the
13 revenue proportionately, based on the allocation schedule in
14 paragraph (3) of subdivision (b). The county auditor shall
15 proportionately allocate, based on the allocation schedule in
16 paragraph (3) of subdivision (b), all revenues received after the
17 distribution of the fourth quarter allocation attributable to these
18 fees for which payment was due prior to July 1, 2011, until all
19 minimum allocations are fulfilled, at which point all remaining
20 revenue shall be distributed proportionately among the other
21 jurisdictions.

22 *SEC. 4. Section 30070 of the Government Code is amended to*
23 *read:*

24 30070. (a) For the 2011–12 fiscal year, the program authorized
25 by this chapter shall be funded from the Local Law Enforcement
26 Services Account in the Local Revenue Fund 2011. The Controller
27 shall, on a quarterly basis, beginning on October 1, 2011, allocate
28 4.07 percent of the moneys annually deposited in the Local Law
29 Enforcement Services Account. Commencing with the 2012–13
30 fiscal year, the program authorized by this chapter shall be funded
31 from the Enhancing Law Enforcement Activities Subaccount in
32 the Local Revenue Fund 2011. The Controller shall allocate 3.78
33 percent of the moneys annually deposited in the Enhancing Law
34 Enforcement Activities Subaccount in the Local Revenue Fund
35 2011. ~~Funds~~ *Commencing with the 2013–14 fiscal year, funds* shall
36 *be allocated in monthly installments* to county sheriffs' departments
37 to enhance law enforcement efforts in the counties specified in
38 paragraphs (1) to (37), inclusive, according to the following
39 schedule:

1	(1) Alpine County	2.7027%
2	(2) Amador County	2.7027%
3	(3) Butte County	2.7027%
4	(4) Calaveras County	2.7027%
5	(5) Colusa County	2.7027%
6	(6) Del Norte County	2.7027%
7	(7) El Dorado County	2.7027%
8	(8) Glenn County	2.7027%
9	(9) Humboldt County	2.7027%
10	(10) Imperial County	2.7027%
11	(11) Inyo County	2.7027%
12	(12) Kings County	2.7027%
13	(13) Lake County	2.7027%
14	(14) Lassen County	2.7027%
15	(15) Madera County	2.7027%
16	(16) Marin County	2.7027%
17	(17) Mariposa County	2.7027%
18	(18) Mendocino County	2.7027%
19	(19) Merced County	2.7027%
20	(20) Modoc County	2.7027%
21	(21) Mono County	2.7027%
22	(22) Napa County	2.7027%
23	(23) Nevada County	2.7027%
24	(24) Placer County	2.7027%
25	(25) Plumas County	2.7027%
26	(26) San Benito County	2.7027%
27	(27) San Luis Obispo County	2.7027%
28	(28) Santa Cruz County	2.7027%
29	(29) Shasta County	2.7027%
30	(30) Sierra County	2.7027%
31	(31) Siskiyou County	2.7027%
32	(32) Sutter County	2.7027%
33	(33) Tehama County	2.7027%
34	(34) Trinity County	2.7027%
35	(35) Tuolumne County	2.7027%
36	(36) Yolo County	2.7027%
37	(37) Yuba County	2.7027%
38		
39	(e)	

1 (b) Funds allocated pursuant to this section shall be used to
2 supplement rather than supplant existing law enforcement
3 resources.

4 ~~(d)~~

5 (c) The funds allocated pursuant to this section may not be used
6 for any video surveillance or monitoring of the general public.

7 *SEC. 5. Section 326.3 of the Penal Code is amended to read:*

8 326.3. (a) The Legislature finds and declares all of the
9 following:

10 (1) Nonprofit organizations provide important and essential
11 educational, philanthropic, and social services to the people of the
12 ~~State of California.~~ *state.*

13 (2) One of the great strengths of California is a vibrant nonprofit
14 sector.

15 (3) Nonprofit and philanthropic organizations touch the lives
16 of every Californian through service and employment.

17 (4) Many of these services would not be available if nonprofit
18 organizations did not provide them.

19 (5) There is a need to provide methods of fundraising to
20 nonprofit organizations to enable them to provide these essential
21 services.

22 (6) Historically, many nonprofit organizations have used
23 charitable bingo as one of their key fundraising strategies to
24 promote the mission of the charity.

25 (7) Legislation is needed to provide greater revenues for
26 nonprofit organizations to enable them to fulfill their charitable
27 purposes, and especially to meet their increasing social service
28 obligations.

29 (8) Legislation is also needed to clarify that existing law requires
30 that all charitable bingo must be played using a tangible card and
31 that the only permissible electronic devices to be used by charitable
32 bingo players are card-minding devices.

33 (b) Neither the prohibition on gambling in this chapter nor in
34 Chapter 10 (commencing with Section 330) applies to any remote
35 caller bingo game that is played or conducted in a city, county, or
36 city and county pursuant to an ordinance enacted under Section
37 19 of Article IV of the California Constitution, if the ordinance
38 allows a remote caller bingo game to be played or conducted only
39 in accordance with this section, including the following
40 requirements:

1 (1) The game may be conducted only by the following
2 organizations:

3 (A) An organization that is exempted from the payment of the
4 taxes imposed under the Corporation Tax Law by Section 23701a,
5 23701b, 23701d, 23701e, 23701f, 23701g, 23701k, 23701l, or
6 23701w of the Revenue and Taxation Code.

7 (B) A mobilehome park association.

8 (C) A senior ~~citizens~~ *citizens*’ organization.

9 (D) Charitable organizations affiliated with a school district.

10 (2) The organization conducting the game shall have been
11 incorporated or in existence for three years or more.

12 (3) The organization conducting the game shall be licensed
13 pursuant to subdivision (l) of Section 326.5.

14 (4) The receipts of the game shall be used only for charitable
15 purposes. The organization conducting the game shall determine
16 the disbursement of the net receipts of the game.

17 (5) The operation of bingo may not be the primary purpose for
18 which the organization is organized.

19 (c) (1) A city, county, or city and county may adopt an
20 ordinance in substantially the following form to authorize remote
21 caller bingo in accordance with the requirements of subdivision
22 (b):

23
24 Sec. .01. Legislative Authorization.

25 This chapter is adopted pursuant to Section 19 of Article IV of
26 the California Constitution, as implemented by Sections 326.3 and
27 326.4 of the Penal Code.

28 Sec. .02. Remote Caller Bingo Authorized.

29 Remote Caller Bingo may be lawfully played in the [City,
30 County, or City and County] pursuant to the provisions of Sections
31 326.3 and 326.4 of the Penal Code, and this chapter, and not
32 otherwise.

33 Sec. .03. Qualified Applicants: Applicants for Licensure.

34 (a) The following organizations are qualified to apply to the
35 License Official for a license to operate a bingo game if the receipts
36 of those games are used only for charitable purposes:

37 (1) An organization exempt from the payment of the taxes
38 imposed under the Corporation Tax Law by Section 23701a,
39 23701b, 23701d, 23701e, 23701f, 23701g, 23701k, 23701l, or
40 23701w of the Revenue and Taxation Code.

1 (2) A mobile home park association of a mobile home park that
2 is situated in the [City, County, or City and County].

3 (3) Senior citizen organizations.

4 (4) Charitable organizations affiliated with a school district.

5 (b) The application shall be in a form prescribed by the License
6 Official and shall be accompanied by a nonrefundable filing fee
7 in an amount determined by resolution of the [Governing Body of
8 the City, County, or City and County] from time to time. The
9 following documentation shall be attached to the application, as
10 applicable:

11 (1) A certificate issued by the Franchise Tax Board certifying
12 that the applicant is exempt from the payment of the taxes imposed
13 under the Corporation Tax Law pursuant to Section 23701a,
14 23701b, 23701d, 23701e, 23701f, 23701g, 23701k, 23701l, or
15 23701w of the Revenue and Taxation Code. In lieu of a certificate
16 issued by the Franchise Tax Board, the License Official may refer
17 to the Franchise Tax Board's Internet Web site to verify that the
18 applicant is exempt from the payment of the taxes imposed under
19 the Corporation Tax Law.

20 (2) Other evidence as the License Official determines is
21 necessary to verify that the applicant is a duly organized mobile
22 home park association of a mobile home park situated in the [City,
23 County, or City and County].

24 Sec. _.04. License Application: Verification.

25 The license shall not be issued until the License Official has
26 verified the facts stated in the application and determined that the
27 applicant is qualified.

28 Sec. _.05. Annual Licenses.

29 A license issued pursuant to this chapter shall be valid until the
30 end of the calendar year, at which time the license shall expire. A
31 new license shall only be obtained upon filing a new application
32 and payment of the license fee. The fact that a license has been
33 issued to an applicant creates no vested right on the part of the
34 licensee to continue to offer bingo for play. The [Governing Body
35 of the City, County, or City and County] expressly reserves the
36 right to amend or repeal this chapter at any time by resolution. If
37 this chapter is repealed, all licenses issued pursuant to this chapter
38 shall cease to be effective for any purpose on the effective date of
39 the repealing resolution.

40 Sec. _.06. Conditions of Licensure.

1 (a) Any license issued pursuant to this chapter shall be subject
 2 to the conditions contained in Sections 326.3 and 326.4 of the
 3 Penal Code, and each licensee shall comply with the requirements
 4 of those provisions.

5 (b) Each license issued pursuant to this chapter shall be subject
 6 to the following additional conditions:

7 (1) Bingo games shall not be conducted by any licensee on more
 8 than two days during any week, except that a licensee may hold
 9 one additional game, at its election, in each calendar quarter.

10 (2) The licensed organization is responsible for ensuring that
 11 the conditions of this chapter and Sections 326.3 and 326.4 of the
 12 Penal Code are complied with by the organization and its officers
 13 and members. A violation of any one or more of those conditions
 14 or provisions shall constitute cause for the revocation of the
 15 organization’s license. At the request of the organization, the
 16 [Governing Body of the City, County, or City and County] shall
 17 hold a public hearing before revoking any license issued pursuant
 18 to this chapter.

19 ~~(2)~~

20 (3) Nothing in this section shall require a city, county, or city
 21 and county to use this model ordinance in order to authorize remote
 22 caller bingo.

23 (d) It is a misdemeanor for any person to receive or pay a profit,
 24 wage, or salary from any remote caller bingo game, provided that
 25 administrative, managerial, technical, financial, and security
 26 personnel employed by the organization conducting the bingo
 27 game may be paid reasonable fees for services rendered from the
 28 revenues of bingo games, as provided in subdivision ~~(m)~~; (l), except
 29 that fees paid under those agreements shall not be determined as
 30 a percentage of receipts or other revenues from, or be ~~dependant~~
 31 *dependent* on the outcome of, the game.

32 (e) A violation of subdivision (d) shall be punishable by a fine
 33 not to exceed ten thousand dollars (\$10,000), which fine shall be
 34 deposited in the general fund of the city, county, or city and county
 35 that enacted the ordinance authorizing the remote caller bingo
 36 game. A violation of any provision of this section, other than
 37 subdivision (d), is a misdemeanor.

38 (f) The city, county, or city and county that enacted the
 39 ordinance authorizing the remote caller bingo game, or the Attorney
 40 General, may bring an action to enjoin a violation of this section.

1 (g) No minors shall be allowed to participate in any remote
2 caller bingo game.

3 (h) A remote caller bingo game shall ~~not include any site~~ *only*
4 *sites that is not are* located within this state.

5 (i) An organization authorized to conduct a remote caller bingo
6 game pursuant to subdivision (b) shall conduct the game only on
7 property that is owned or leased by the organization, or the use of
8 which is donated to the organization. Nothing in this subdivision
9 shall be construed to require that the property that is owned or
10 leased by, or the use of which is donated to, the organization be
11 used or leased exclusively by, or donated exclusively to, that
12 organization.

13 (j) (1) All remote caller bingo games shall be open to the public,
14 *and shall not just be limited* to the members of the authorized
15 organization.

16 (2) No more than 750 players may participate in a remote caller
17 bingo game in a single location.

18 (3) ~~If the Governor of California or the President of the United~~
19 ~~States~~ declares a state of emergency in response to a natural disaster
20 or other public catastrophe occurring in California, an organization
21 authorized to conduct remote caller bingo games may, while that
22 declaration is in effect, conduct a remote caller bingo game
23 pursuant to this section with more than 750 participants in a single
24 venue if the net proceeds of the game, after deduction of prizes
25 and overhead expenses, are donated to or expended exclusively
26 for the relief of the victims of the disaster or catastrophe, and the
27 organization gives, *for each participating remote caller bingo site,*
28 ~~the California Gambling Control Commission~~ *department and*
29 *local law enforcement* at least 10 days' written notice of the intent
30 to conduct that game.

31 (4) ~~An~~ *For each participating remote caller bingo site, an*
32 organization authorized to conduct remote caller bingo games shall
33 provide ~~the commission~~ *department and local law enforcement*
34 with at least 30 days' advance written notice of its intent to conduct
35 a remote caller bingo game. That notice shall include all of the
36 following:

37 (A) The legal name of the organization and the address of record
38 of the agent upon whom legal notice may be served.

1 (B) The locations of the caller and remote players, whether the
2 property is owned by the organization or donated, and if donated,
3 by whom.

4 (C) The name of the licensed caller and site manager.

5 (D) The names of administrative, managerial, technical,
6 financial, and security personnel employed.

7 (E) The name of the vendor and any person or entity maintaining
8 the equipment used to operate and transmit the game.

9 (F) The name of the person designated as having a fiduciary
10 responsibility for the game pursuant to paragraph (2) of subdivision
11 (k).

12 (G) The license numbers of all persons specified in
13 subparagraphs (A) to (F), inclusive, who are required to be licensed.

14 (H) A copy of the local ordinance for any city, county, or city
15 and county in which the game will be played. The commission
16 shall post the ordinance on its Internet Web site.

17 (I) *A copy of the license issued to the organization by the*
18 *governing body of the city, county, or city and county pursuant to*
19 *subdivision (b).*

20 (k) (1) A remote caller bingo game shall be operated and staffed
21 only by members of the authorized organization that organized it.
22 Those members shall not receive a profit, wage, or salary from
23 any remote caller bingo game. Only the organization authorized
24 to conduct a remote caller bingo game shall operate that game, or
25 participate in the promotion, supervision, or any other phase of a
26 remote caller bingo game. Subject to the provisions of subdivision
27 (m), this subdivision shall not preclude the employment of
28 administrative, managerial, technical, financial, or security
29 personnel who are not members of the authorized organization at
30 a location participating in the remote caller bingo game by the
31 organization conducting the game. Notwithstanding any other
32 provision of law, exclusive or other agreements between the
33 authorized organization and other entities or persons to provide
34 services in the administration, management, or conduct of the game
35 shall not be considered a violation of the prohibition against
36 holding a legally cognizable financial interest in the conduct of
37 the remote caller bingo game by persons or entities other than the
38 charitable organization, or other entity authorized to conduct the
39 remote caller bingo games, ~~provided that~~ *if* those persons or entities
40 obtain the gambling licenses, the key employee licenses, or the

1 work permits required by, and otherwise comply with, Chapter 5
2 (commencing with Section 19800) of Division 8 of the Business
3 and Professions Code. Fees to be paid under ~~any such~~ *those*
4 agreements shall be reasonable and shall not be determined as a
5 percentage of receipts or other revenues from, or be dependent on
6 the outcome of, the game.

7 (2) An organization that conducts a remote caller bingo game
8 shall designate a person as having fiduciary responsibility for the
9 game.

10 (l) No individual, corporation, partnership, or other legal entity,
11 except the organization authorized to conduct or participate in a
12 remote caller bingo game, shall hold a legally cognizable financial
13 interest in the conduct of ~~such a~~ *that* game.

14 (m) An organization authorized to conduct a remote caller bingo
15 game pursuant to this section shall not have overhead costs
16 exceeding 20 percent of gross sales, except that the limitations of
17 this section shall not apply to one-time, nonrecurring capital
18 acquisitions. For purposes of this subdivision, “overhead costs”
19 includes, but is not limited to, amounts paid for rent and equipment
20 leasing and the reasonable fees authorized to be paid to
21 administrative, managerial, technical, financial, and security
22 personnel employed by the organization pursuant to subdivision
23 (d). For the purpose of keeping its overhead costs below 20 percent
24 of gross sales, an authorized organization may elect to deduct all
25 or a portion of the fees paid to financial institutions for the use and
26 processing of credit card sales from the amount of gross revenues
27 awarded for prizes. In that case, the redirected fees for the use and
28 processing of credit card sales shall not be included in “overhead
29 costs” as defined in the California Remote Caller Bingo Act.
30 Additionally, fees paid to financial institutions for the use and
31 processing of credit card sales shall not be deducted from the
32 proceeds retained by the charitable organization.

33 (n) No person shall be allowed to participate in a remote caller
34 bingo game unless the person is physically present at the time and
35 place where the remote caller bingo game is being conducted. A
36 person shall be deemed to be physically present at the place where
37 the remote caller bingo game is being conducted if he or she is
38 present at any of the locations participating in the remote caller
39 bingo game in accordance with this section.

1 (o) (1) An organization shall not cosponsor a remote caller
2 bingo game with one or more other organizations unless one of
3 the following is true:

4 (A) All of the cosponsors are affiliated under the master charter
5 or articles and bylaws of a single organization.

6 (B) All of the cosponsors are affiliated through an organization
7 described in paragraph (1) of subdivision (b), and have the same
8 Internal Revenue Service activity code.

9 (2) Notwithstanding paragraph (1), a maximum of 10
10 unaffiliated organizations described in paragraph (1) of subdivision
11 (b) may enter into an agreement to cosponsor a remote caller game,
12 ~~provided but that the game shall have not~~ *no* more than 10
13 locations.

14 (3) An organization shall not conduct remote caller bingo more
15 than two days per week.

16 (4) Before sponsoring or operating any game authorized under
17 paragraph (1) or (2), each of the cosponsoring organizations shall
18 have entered into a written agreement, a copy of which shall be
19 provided to the commission, setting forth how the expenses and
20 proceeds of the game are to be allocated among the participating
21 organizations, the bank accounts into which all receipts are to be
22 deposited and from which all prizes are to be paid, and how game
23 records are to be maintained and subjected to annual audit.

24 (p) The value of prizes awarded during the conduct of any
25 remote caller bingo game shall not exceed 37 percent of the gross
26 receipts for that game. When an authorized organization elects to
27 deduct fees paid for the use and processing of credit card sales
28 from the amount of gross revenues for that game awarded for
29 prizes, the maximum amount of gross revenues that may be
30 awarded for prizes shall not exceed 37 percent of the gross receipts
31 for that game, less the amount of redirected fees paid for the use
32 and processing of credit card sales. Every remote caller bingo game
33 shall be played until a winner is declared. Progressive prizes are
34 prohibited. The declared winner of a remote caller bingo game
35 shall provide his or her identifying information and a mailing
36 address to the onsite manager of the remote caller bingo game.
37 Prizes shall be paid only by check; no cash prizes shall be paid.
38 The organization conducting the remote caller bingo game may
39 issue a check to the winner at the time of the game, or may send
40 a check to the declared winner by United States Postal Service

1 certified mail, return receipt requested. All prize money exceeding
2 state and federal exemption limits on prize money shall be subject
3 to income tax reporting and withholding requirements under
4 applicable state and federal laws and regulations and those reports
5 and withholding shall be forwarded, within 10 business days, to
6 the appropriate state or federal agency on behalf of the winner. A
7 report shall accompany the amount withheld identifying the person
8 on whose behalf the money is being sent. Any game interrupted
9 by a transmission failure, electrical outage, or act of God shall be
10 considered void in the location that was affected. A refund for a
11 canceled game or games shall be provided to the purchasers.

12 ~~(q) (1) The California Gambling Control Commission shall~~
13 ~~regulate remote caller bingo, including, but not limited to, licensure~~
14 ~~and operation. The commission shall establish reasonable criteria~~
15 ~~regulating, and shall require the licensure of, of the following:~~

16 (A) Any person who ~~conducts a~~ *contracts to conduct* remote
17 caller bingo game pursuant to this section, including, but not
18 limited to, ~~an employee, a person on behalf of an organization~~
19 *described in subdivision (b) or who is identified as having fiduciary*
20 *responsibility for a remote caller bingo game, a site manager, and*
21 *a bingo caller. the game pursuant to subdivision (k).*

22 (B) Any person who directly or indirectly manufactures,
23 distributes, supplies, vends, leases, or otherwise provides supplies,
24 devices, services, or other equipment designed for use in the
25 playing of a remote caller bingo game by any ~~nonprofit~~
26 *organization. organization described in subdivision (b).*

27 (C) Beginning January 31, 2009, or a later date as may be
28 established by the commission, all persons described in
29 subparagraph (A) or (B) may submit to the commission a letter of
30 intent to submit an application for licensure. The letter shall clearly
31 identify the principal applicant, all categories under which the
32 application will be filed, and the names of all those particular
33 individuals who are applying. Each charitable organization shall
34 provide an estimate of the frequency with which it plans to conduct
35 remote caller bingo operations, including the number of locations.
36 The letter of intent may be withdrawn or updated at any time.

37 (2) (A) ~~The Department of Justice shall conduct background~~
38 *Background investigations and conduct field enforcement as it*
39 *relates to remote caller bingo consistent related to remote caller*
40 *bingo conducted by the department shall be in accordance with*

1 the Gambling Control Act (Chapter 5 (commencing with Section
2 19800) of Division 8 of the Business and Professions Code) and
3 as specified in regulations promulgated by the ~~commission.~~
4 *commission or the department.*

5 (B) Fees to cover background investigation costs shall be paid
6 and accounted for in accordance with Section 19867 of the
7 Business and Professions Code.

8 (3) (A) Every application for a license or approval *by a person*
9 *described in subparagraph (A) of paragraph (1)* shall be *submitted*
10 *to the department and* accompanied by a nonrefundable fee, the
11 amount of which shall be adopted by the commission by regulation.

12 (B) Fees and revenue collected pursuant to this paragraph shall
13 be deposited in the California Bingo Fund, which is hereby created
14 in the State Treasury. The funds deposited in the California Bingo
15 Fund shall be available, upon appropriation by the Legislature, for
16 expenditure by the commission and the department exclusively
17 for the support of the commission and department in carrying out
18 their duties and responsibilities under this section and Section
19 326.5.

20 (C) A loan is hereby authorized from the Gambling Control
21 Fund to the California Bingo Fund on or after January 1, 2009, in
22 an amount of up to five hundred thousand dollars (\$500,000) to
23 fund operating, personnel, and other startup costs incurred by the
24 commission *and department* relating to this ~~act.~~ *section.* Funds
25 from the California Bingo Fund shall be available to the
26 commission *and department* upon appropriation by the Legislature
27 in the annual Budget Act. The loan shall be subject to all of the
28 following conditions:

29 (i) The loan shall be repaid to the Gambling Control Fund as
30 soon as there is sufficient money in the California Bingo Fund to
31 repay the amount loaned, but no later than ~~five years after the date~~
32 ~~of the loan.~~ *July 1, 2019.*

33 (ii) Interest on the loan shall be paid from the California Bingo
34 Fund at the rate accruing to moneys in the Pooled Money
35 Investment Account.

36 (iii) The terms and conditions of the loan are approved, prior
37 to the transfer of funds, by the Department of Finance pursuant to
38 appropriate fiscal standards.

1 The commission *and department* may assess and collect
2 reasonable fees and deposits as necessary to defray the costs of
3 regulation and oversight.

4 (D) *Notwithstanding any other law, the loan authorized by*
5 *Provision 1 of Item 0855-001-0567 of the Budget Act of 2009, in*
6 *the amount of four hundred fifty-seven thousand dollars (\$457,000),*
7 *shall be repaid no later than July 1, 2019.*

8 (E) *The licensing fee for any person or entity that directly or*
9 *indirectly manufactures, distributes, supplies, vends, leases, or*
10 *otherwise provides supplies, devices, services, or other equipment*
11 *designed for use in the playing of a remote caller bingo game by*
12 *any nonprofit organization shall be in an amount determined by*
13 *the department, not to exceed the reasonable regulatory costs to*
14 *the department and in accordance with regulations adopted*
15 *pursuant to this chapter. Prior to the adoption of the regulations,*
16 *the nonrefundable license fee shall be the amount of the reasonable*
17 *regulatory costs to the department, not to exceed three thousand*
18 *dollars (\$3,000) per year.*

19 (r) The administrative, managerial, technical, financial, and
20 security personnel employed by an organization that conducts
21 remote caller bingo games shall apply for, obtain, and thereafter
22 maintain valid work permits, as defined in Section 19805 of the
23 Business and Professions Code.

24 (s) An organization that conducts remote caller bingo games
25 shall retain records in connection with the remote caller bingo
26 game for five years.

27 (t) (1) ~~All equipment used for remote caller bingo shall be~~
28 ~~approved in advance by the California Gambling Control~~
29 ~~Commission pursuant to certified as compliant with regulations~~
30 ~~adopted pursuant to subdivision (r) of Section 19841 of the~~
31 ~~Business and Professions Code. Code by a manufacturing expert~~
32 ~~recognized by the department. Certifications shall be submitted~~
33 ~~to the department prior to the use of any equipment subject to this~~
34 ~~subdivision.~~

35 (2) ~~The California Gambling Control Commission shall~~
36 ~~department may~~ monitor operation of the transmission and other
37 equipment used for remote caller bingo, and monitor the game.

38 (u) (1) As used in this section, “remote caller bingo game”
39 means a game of bingo, as defined in subdivision (o) of Section
40 326.5, in which the numbers or symbols on randomly drawn plastic

1 balls are announced by a natural person present at the site at which
2 the live game is conducted, and the organization conducting the
3 bingo game uses audio and video technology to link any of its
4 in-state facilities for the purpose of transmitting the remote calling
5 of a live bingo game from a single location to multiple locations
6 owned, leased, or rented by that organization, or as described in
7 subdivision (o) of this section. The audio or video technology used
8 to link the facilities may include cable, Internet, satellite,
9 broadband, or telephone technology, or any other means of
10 electronic transmission that ensures the secure, accurate, and
11 simultaneous transmission of the announcement of numbers or
12 symbols in the game from the location at which the game is called
13 by a natural person to the remote location or locations at which
14 players may participate in the game. The drawing of each ball
15 bearing a number or symbol by the natural person calling the game
16 shall be visible to all players as the ball is drawn, including through
17 a simultaneous live video feed at remote locations at which players
18 may participate in the game.

19 (2) The caller in the live game must be licensed by the California
20 Gambling Control Commission. A game may be called by a
21 nonlicensed caller if the drawing of balls and calling of numbers
22 or symbols by that person is observed and personally supervised
23 by a licensed caller.

24 (3) Remote caller bingo games shall be played using traditional
25 paper or other tangible bingo cards and daubers, and shall not be
26 played by using electronic devices, except card-minding devices,
27 as described in paragraph (1) of subdivision (p) of Section 326.5.

28 (4) Prior to conducting a remote caller bingo game, the
29 organization that conducts remote caller bingo shall submit to the
30 ~~commission~~ *department* the controls, methodology, and standards
31 of game play, which shall include, but not be limited to, the
32 equipment used to select bingo numbers and create or originate
33 cards, control or maintenance, distribution to participating
34 locations, and distribution to players. Those controls,
35 methodologies, and standards shall be subject to prior approval by
36 the ~~commission~~, *department*, provided that the controls shall be
37 deemed approved by the ~~commission~~ *department* after 90 days
38 from the date of submission unless disapproved.

39 (v) A location shall not be eligible to participate in a remote
40 caller bingo game if bingo games are conducted at that location

1 in violation of Section 326.5 or any regulation adopted by the
2 commission pursuant to Section 19841 of the Business and
3 Professions Code, including, but not limited to, a location at which
4 unlawful electronic devices are used.

5 (w) (1) The vendor of the equipment used in a remote caller
6 bingo game shall have its books and records audited at least
7 annually by an independent California certified public accountant
8 and shall submit the results of that audit to the ~~California Gambling~~
9 ~~Control Commission~~ *department* within 120 days after the close
10 of the vendor's fiscal year. In addition, the ~~California Gambling~~
11 ~~Control Commission~~ *department* may audit the books and records
12 of the vendor at any time.

13 (2) An authorized organization that conducts remote caller bingo
14 games shall ~~provide copies of the records pertaining to those games~~
15 ~~to the California Gambling Control Commission within 30 days~~
16 ~~after the end of each calendar quarter. In addition, those records~~
17 ~~shall be audited by an independent California certified public~~
18 ~~accountant at least annually and copies of the audit reports shall~~
19 ~~be provided to the California Gambling Control Commission~~
20 ~~department within 120 60 days after of completion of the close~~
21 ~~audit report. A city, county, or city and county shall be provided~~
22 ~~a full copy of the organization's fiscal year audit or an audit report~~
23 ~~upon request.~~ The audit report shall account for the annual amount
24 of fees paid to financial institutions for the use and processing of
25 credit card sales by the authorized organization and the amount of
26 fees for the use and processing of credit card sales redirected from
27 "overhead costs" and deducted from the amount of gross revenues
28 awarded for prizes.

29 (3) The costs of the licensing and audits required by this section
30 shall be borne by the person or entity required to be licensed or
31 audited. The audit shall enumerate the receipts for remote caller
32 bingo, the prizes disbursed, the overhead costs, and the amount
33 retained by the nonprofit organization. The ~~commission~~ *department*
34 may audit the books and records of an organization that conducts
35 remote caller bingo games at any time.

36 (4) ~~If, during an audit,~~ *If the commission department identifies*
37 *practices in violation of this section, the license for the audited*
38 *entity may be suspended pending review and hearing before the*
39 *commission for a final determination.*

1 ~~(5) No audit required to be conducted by the commission shall~~
2 ~~commence before January 1, 2010.~~

3 (x) (1) The provisions of this section are severable. If any
4 provision of this section or its application is held invalid, that
5 invalidity shall not affect other provisions or applications that can
6 be given effect without the invalid provision or application.

7 (2) Notwithstanding paragraph (1), if paragraph (1) or (3) of
8 subdivision (u), or the application of either of those provisions, is
9 held invalid, this entire section shall be invalid.

10 (y) The ~~commission~~ *department* shall submit a report to the
11 Legislature, on or before January 1, ~~2012, 2016~~, on the fundraising
12 effectiveness and regulation of remote caller bingo, and other
13 matters that are relevant to the public interest regarding remote
14 caller bingo.

15 (z) The following definitions apply for purposes of this section:

16 (1) “Commission” means the California Gambling Control
17 Commission.

18 (2) “*Department*” means the *Department of Justice*.

19 ~~(2)~~

20 (3) “Person” includes a natural person, corporation, limited
21 liability company, partnership, trust, joint venture, association, or
22 any other business organization.

23 *(aa) This section shall become inoperative on July 1, 2016, and,*
24 *as of January 1, 2017, is repealed, unless a later enacted statute,*
25 *that becomes operative on or before January 1, 2017, deletes or*
26 *extends the dates on which it becomes inoperative and is repealed.*

27 *SEC. 6. Section 1170 of the Penal Code, as amended by Section*
28 *2 of Chapter 828 of the Statutes of 2012, is amended to read:*

29 1170. (a) (1) The Legislature finds and declares that the
30 purpose of imprisonment for crime is punishment. This purpose
31 is best served by terms proportionate to the seriousness of the
32 offense with provision for uniformity in the sentences of offenders
33 committing the same offense under similar circumstances. The
34 Legislature further finds and declares that the elimination of
35 disparity and the provision of uniformity of sentences can best be
36 achieved by determinate sentences fixed by statute in proportion
37 to the seriousness of the offense as determined by the Legislature
38 to be imposed by the court with specified discretion.

39 (2) Notwithstanding paragraph (1), the Legislature further finds
40 and declares that programs should be available for inmates,

1 including, but not limited to, educational programs, that are
2 designed to prepare nonviolent felony offenders for successful
3 reentry into the community. The Legislature encourages the
4 development of policies and programs designed to educate and
5 rehabilitate nonviolent felony offenders. In implementing this
6 section, the Department of Corrections and Rehabilitation is
7 encouraged to give priority enrollment in programs to promote
8 successful return to the community to an inmate with a short
9 remaining term of commitment and a release date that would allow
10 him or her adequate time to complete the program.

11 (3) In any case in which the punishment prescribed by statute
12 for a person convicted of a public offense is a term of imprisonment
13 in the state prison of any specification of three time periods, the
14 court shall sentence the defendant to one of the terms of
15 imprisonment specified unless the convicted person is given any
16 other disposition provided by law, including a fine, jail, probation,
17 or the suspension of imposition or execution of sentence or is
18 sentenced pursuant to subdivision (b) of Section 1168 because he
19 or she had committed his or her crime prior to July 1, 1977. In
20 sentencing the convicted person, the court shall apply the
21 sentencing rules of the Judicial Council. The court, unless it
22 determines that there are circumstances in mitigation of the
23 punishment prescribed, shall also impose any other term that it is
24 required by law to impose as an additional term. Nothing in this
25 article shall affect any provision of law that imposes the death
26 penalty, that authorizes or restricts the granting of probation or
27 suspending the execution or imposition of sentence, or expressly
28 provides for imprisonment in the state prison for life, except as
29 provided in paragraph (2) of subdivision (d). In any case in which
30 the amount of preimprisonment credit under Section 2900.5 or any
31 other provision of law is equal to or exceeds any sentence imposed
32 pursuant to this chapter, the entire sentence shall be deemed to
33 have been served and the defendant shall not be actually delivered
34 to the custody of the secretary. The court shall advise the defendant
35 that he or she shall serve a period of parole and order the defendant
36 to report to the parole office closest to the defendant's last legal
37 residence, unless the in-custody credits equal the total sentence,
38 including both confinement time and the period of parole. The
39 sentence shall be deemed a separate prior prison term under Section

1 667.5, and a copy of the judgment and other necessary
2 documentation shall be forwarded to the secretary.

3 (b) When a judgment of imprisonment is to be imposed and the
4 statute specifies three possible terms, the court shall order
5 imposition of the middle term, unless there are circumstances in
6 aggravation or mitigation of the crime. At least four days prior to
7 the time set for imposition of judgment, either party or the victim,
8 or the family of the victim if the victim is deceased, may submit
9 a statement in aggravation or mitigation to dispute facts in the
10 record or the probation officer's report, or to present additional
11 facts. In determining whether there are circumstances that justify
12 imposition of the upper or lower term, the court may consider the
13 record in the case, the probation officer's report, other reports,
14 including reports received pursuant to Section 1203.03, and
15 statements in aggravation or mitigation submitted by the
16 prosecution, the defendant, or the victim, or the family of the victim
17 if the victim is deceased, and any further evidence introduced at
18 the sentencing hearing. The court shall set forth on the record the
19 facts and reasons for imposing the upper or lower term. The court
20 may not impose an upper term by using the fact of any
21 enhancement upon which sentence is imposed under any provision
22 of law. A term of imprisonment shall not be specified if imposition
23 of sentence is suspended.

24 (c) The court shall state the reasons for its sentence choice on
25 the record at the time of sentencing. The court shall also inform
26 the defendant that as part of the sentence after expiration of the
27 term he or she may be on parole for a period as provided in Section
28 3000.

29 (d) (1) When a defendant subject to this section or subdivision
30 (b) of Section 1168 has been sentenced to be imprisoned in the
31 state prison and has been committed to the custody of the secretary,
32 the court may, within 120 days of the date of commitment on its
33 own motion, or at any time upon the recommendation of the
34 secretary or the Board of Parole Hearings, recall the sentence and
35 commitment previously ordered and resentence the defendant in
36 the same manner as if he or she had not previously been sentenced,
37 provided the new sentence, if any, is no greater than the initial
38 sentence. The court resentencing under this subdivision shall apply
39 the sentencing rules of the Judicial Council so as to eliminate

1 disparity of sentences and to promote uniformity of sentencing.
2 Credit shall be given for time served.

3 (2) (A) (i) When a defendant who was under 18 years of age
4 at the time of the commission of the offense for which the
5 defendant was sentenced to imprisonment for life without the
6 possibility of parole has served at least 15 years of that sentence,
7 the defendant may submit to the sentencing court a petition for
8 recall and resentencing.

9 (ii) Notwithstanding clause (i), this paragraph shall not apply
10 to defendants sentenced to life without parole for an offense where
11 the defendant tortured, as described in Section 206, his or her
12 victim or the victim was a public safety official, including any law
13 enforcement personnel mentioned in Chapter 4.5 (commencing
14 with Section 830) of Title 3, or any firefighter as described in
15 Section 245.1, as well as any other officer in any segment of law
16 enforcement who is employed by the federal government, the state,
17 or any of its political subdivisions.

18 (B) The defendant shall file the original petition with the
19 sentencing court. A copy of the petition shall be served on the
20 agency that prosecuted the case. The petition shall include the
21 defendant's statement that he or she was under 18 years of age at
22 the time of the crime and was sentenced to life in prison without
23 the possibility of parole, the defendant's statement describing his
24 or her remorse and work towards rehabilitation, and the defendant's
25 statement that one of the following is true:

26 (i) The defendant was convicted pursuant to felony murder or
27 aiding and abetting murder provisions of law.

28 (ii) The defendant does not have juvenile felony adjudications
29 for assault or other felony crimes with a significant potential for
30 personal harm to victims prior to the offense for which the sentence
31 is being considered for recall.

32 (iii) The defendant committed the offense with at least one adult
33 codefendant.

34 (iv) The defendant has performed acts that tend to indicate
35 rehabilitation or the potential for rehabilitation, including, but not
36 limited to, availing himself or herself of rehabilitative, educational,
37 or vocational programs, if those programs have been available at
38 his or her classification level and facility, using self-study for
39 self-improvement, or showing evidence of remorse.

1 (C) If any of the information required in subparagraph (B) is
2 missing from the petition, or if proof of service on the prosecuting
3 agency is not provided, the court shall return the petition to the
4 defendant and advise the defendant that the matter cannot be
5 considered without the missing information.

6 (D) A reply to the petition, if any, shall be filed with the court
7 within 60 days of the date on which the prosecuting agency was
8 served with the petition, unless a continuance is granted for good
9 cause.

10 (E) If the court finds by a preponderance of the evidence that
11 the statements in the petition are true, the court shall hold a hearing
12 to consider whether to recall the sentence and commitment
13 previously ordered and to resentence the defendant in the same
14 manner as if the defendant had not previously been sentenced,
15 provided that the new sentence, if any, is not greater than the initial
16 sentence. Victims, or victim family members if the victim is
17 deceased, shall retain the rights to participate in the hearing.

18 (F) The factors that the court may consider when determining
19 whether to recall and resentence include, but are not limited to,
20 the following:

21 (i) The defendant was convicted pursuant to felony murder or
22 aiding and abetting murder provisions of law.

23 (ii) The defendant does not have juvenile felony adjudications
24 for assault or other felony crimes with a significant potential for
25 personal harm to victims prior to the offense for which the sentence
26 is being considered for recall.

27 (iii) The defendant committed the offense with at least one adult
28 codefendant.

29 (iv) Prior to the offense for which the sentence is being
30 considered for recall, the defendant had insufficient adult support
31 or supervision and had suffered from psychological or physical
32 trauma, or significant stress.

33 (v) The defendant suffers from cognitive limitations due to
34 mental illness, developmental disabilities, or other factors that did
35 not constitute a defense, but influenced the defendant's
36 involvement in the offense.

37 (vi) The defendant has performed acts that tend to indicate
38 rehabilitation or the potential for rehabilitation, including, but not
39 limited to, availing himself or herself of rehabilitative, educational,
40 or vocational programs, if those programs have been available at

1 his or her classification level and facility, using self-study for
2 self-improvement, or showing evidence of remorse.

3 (vii) The defendant has maintained family ties or connections
4 with others through letter writing, calls, or visits, or has eliminated
5 contact with individuals outside of prison who are currently
6 involved with crime.

7 (viii) The defendant has had no disciplinary actions for violent
8 activities in the last five years in which the defendant was
9 determined to be the aggressor.

10 (G) The court shall have the discretion to recall the sentence
11 and commitment previously ordered and to resentence the
12 defendant in the same manner as if the defendant had not
13 previously been sentenced, provided that the new sentence, if any,
14 is not greater than the initial sentence. The discretion of the court
15 shall be exercised in consideration of the criteria in subparagraph
16 (B). Victims, or victim family members if the victim is deceased,
17 shall be notified of the resentencing hearing and shall retain their
18 rights to participate in the hearing.

19 (H) If the sentence is not recalled, the defendant may submit
20 another petition for recall and resentencing to the sentencing court
21 when the defendant has been committed to the custody of the
22 department for at least 20 years. If recall and resentencing is not
23 granted under that petition, the defendant may file another petition
24 after having served 24 years. The final petition may be submitted,
25 and the response to that petition shall be determined, during the
26 25th year of the defendant's sentence.

27 (I) In addition to the criteria in subparagraph (F), the court may
28 consider any other criteria that the court deems relevant to its
29 decision, so long as the court identifies them on the record,
30 provides a statement of reasons for adopting them, and states why
31 the defendant does or does not satisfy the criteria.

32 (J) This subdivision shall have retroactive application.

33 (e) (1) Notwithstanding any other law and consistent with
34 paragraph (1) of subdivision (a), if the secretary or the Board of
35 Parole Hearings or both determine that a prisoner satisfies the
36 criteria set forth in paragraph (2), the secretary or the board may
37 recommend to the court that the prisoner's sentence be recalled.

38 (2) The court shall have the discretion to resentence or recall if
39 the court finds that the facts described in subparagraphs (A) and
40 (B) or subparagraphs (B) and (C) exist:

1 (A) The prisoner is terminally ill with an incurable condition
2 caused by an illness or disease that would produce death within
3 six months, as determined by a physician employed by the
4 department.

5 (B) The conditions under which the prisoner would be released
6 or receive treatment do not pose a threat to public safety.

7 (C) The prisoner is permanently medically incapacitated with
8 a medical condition that renders him or her permanently unable
9 to perform activities of basic daily living, and results in the prisoner
10 requiring 24-hour total care, including, but not limited to, coma,
11 persistent vegetative state, brain death, ventilator-dependency, loss
12 of control of muscular or neurological function, and that
13 incapacitation did not exist at the time of the original sentencing.

14 The Board of Parole Hearings shall make findings pursuant to
15 this subdivision before making a recommendation for resentence
16 or recall to the court. This subdivision does not apply to a prisoner
17 sentenced to death or a term of life without the possibility of parole.

18 (3) Within 10 days of receipt of a positive recommendation by
19 the secretary or the board, the court shall hold a hearing to consider
20 whether the prisoner's sentence should be recalled.

21 (4) Any physician employed by the department who determines
22 that a prisoner has six months or less to live shall notify the chief
23 medical officer of the prognosis. If the chief medical officer
24 concurs with the prognosis, he or she shall notify the warden.
25 Within 48 hours of receiving notification, the warden or the
26 warden's representative shall notify the prisoner of the recall and
27 resentencing procedures, and shall arrange for the prisoner to
28 designate a family member or other outside agent to be notified
29 as to the prisoner's medical condition and prognosis, and as to the
30 recall and resentencing procedures. If the inmate is deemed
31 mentally unfit, the warden or the warden's representative shall
32 contact the inmate's emergency contact and provide the information
33 described in paragraph (2).

34 (5) The warden or the warden's representative shall provide the
35 prisoner and his or her family member, agent, or emergency
36 contact, as described in paragraph (4), updated information
37 throughout the recall and resentencing process with regard to the
38 prisoner's medical condition and the status of the prisoner's recall
39 and resentencing proceedings.

1 (6) Notwithstanding any other provisions of this section, the
2 prisoner or his or her family member or designee may
3 independently request consideration for recall and resentencing
4 by contacting the chief medical officer at the prison or the
5 secretary. Upon receipt of the request, the chief medical officer
6 and the warden or the warden's representative shall follow the
7 procedures described in paragraph (4). If the secretary determines
8 that the prisoner satisfies the criteria set forth in paragraph (2), the
9 secretary or board may recommend to the court that the prisoner's
10 sentence be recalled. The secretary shall submit a recommendation
11 for release within 30 days in the case of inmates sentenced to
12 determinate terms and, in the case of inmates sentenced to
13 indeterminate terms, the secretary shall make a recommendation
14 to the Board of Parole Hearings with respect to the inmates who
15 have applied under this section. The board shall consider this
16 information and make an independent judgment pursuant to
17 paragraph (2) and make findings related thereto before rejecting
18 the request or making a recommendation to the court. This action
19 shall be taken at the next lawfully noticed board meeting.

20 (7) Any recommendation for recall submitted to the court by
21 the secretary or the Board of Parole Hearings shall include one or
22 more medical evaluations, a postrelease plan, and findings pursuant
23 to paragraph (2).

24 (8) If possible, the matter shall be heard before the same judge
25 of the court who sentenced the prisoner.

26 (9) If the court grants the recall and resentencing application,
27 the prisoner shall be released by the department within 48 hours
28 of receipt of the court's order, unless a longer time period is agreed
29 to by the inmate. At the time of release, the warden or the warden's
30 representative shall ensure that the prisoner has each of the
31 following in his or her possession: a discharge medical summary,
32 full medical records, state identification, parole medications, and
33 all property belonging to the prisoner. After discharge, any
34 additional records shall be sent to the prisoner's forwarding
35 address.

36 (10) The secretary shall issue a directive to medical and
37 correctional staff employed by the department that details the
38 guidelines and procedures for initiating a recall and resentencing
39 procedure. The directive shall clearly state that any prisoner who
40 is given a prognosis of six months or less to live is eligible for

1 recall and resentencing consideration, and that recall and
2 resentencing procedures shall be initiated upon that prognosis.

3 (f) Notwithstanding any other provision of this section, for
4 purposes of paragraph (3) of subdivision (h), any allegation that
5 a defendant is eligible for state prison due to a prior or current
6 conviction, sentence enhancement, or because he or she is required
7 to register as a sex offender shall not be subject to dismissal
8 pursuant to Section 1385.

9 (g) A sentence to state prison for a determinate term for which
10 only one term is specified, is a sentence to state prison under this
11 section.

12 (h) (1) Except as provided in paragraph (3), a felony punishable
13 pursuant to this subdivision where the term is not specified in the
14 underlying offense shall be punishable by a term of imprisonment
15 in a county jail for 16 months, or two or three years.

16 (2) Except as provided in paragraph (3), a felony punishable
17 pursuant to this subdivision shall be punishable by imprisonment
18 in a county jail for the term described in the underlying offense.

19 (3) Notwithstanding paragraphs (1) and (2), where the defendant
20 (A) has a prior or current felony conviction for a serious felony
21 described in subdivision (c) of Section 1192.7 or a prior or current
22 conviction for a violent felony described in subdivision (c) of
23 Section 667.5, (B) has a prior felony conviction in another
24 jurisdiction for an offense that has all the elements of a serious
25 felony described in subdivision (c) of Section 1192.7 or a violent
26 felony described in subdivision (c) of Section 667.5, (C) is required
27 to register as a sex offender pursuant to Chapter 5.5 (commencing
28 with Section 290) of Title 9 of Part 1, or (D) is convicted of a crime
29 and as part of the sentence an enhancement pursuant to Section
30 186.11 is imposed, an executed sentence for a felony punishable
31 pursuant to this subdivision shall be served in state prison.

32 (4) Nothing in this subdivision shall be construed to prevent
33 other dispositions authorized by law, including pretrial diversion,
34 deferred entry of judgment, or an order granting probation pursuant
35 to Section 1203.1.

36 (5) The court, when imposing a sentence pursuant to paragraph
37 (1) or (2) of this subdivision, may commit the defendant to county
38 jail as follows:

39 (A) For a full term in custody as determined in accordance with
40 the applicable sentencing law.

1 (B) (i) For a term as determined in accordance with the
2 applicable sentencing law, but suspend execution of a concluding
3 portion of the term selected in the court's discretion, during which
4 time the defendant shall be supervised by the county probation
5 officer in accordance with the terms, conditions, and procedures
6 generally applicable to persons placed on probation, for the
7 remaining unserved portion of the sentence imposed by the court.
8 The period of supervision shall be mandatory, and may not be
9 earlier terminated except by court order. Any proceeding to revoke
10 or modify mandatory supervision under this subparagraph shall
11 be conducted pursuant to either subdivisions (a) and (b) of Section
12 1203.2 or Section 1203.3. During the period when the defendant
13 is under such supervision, unless in actual custody related to the
14 sentence imposed by the court, the defendant shall be entitled to
15 only actual time credit against the term of imprisonment imposed
16 by the court. Any time period which is suspended because a person
17 has absconded shall not be credited toward the period of
18 supervision.

19 (ii) The portion of a defendant's sentenced term during which
20 time he or she is supervised by the county probation officer
21 pursuant to this subparagraph shall be known as mandatory
22 ~~supervision~~ *supervision, and shall begin upon release from*
23 *custody.*

24 (6) The sentencing changes made by the act that added this
25 subdivision shall be applied prospectively to any person sentenced
26 on or after October 1, 2011.

27 (i) This section shall become operative on January 1, 2014.

28 *SEC. 7. Section 1203.2 of the Penal Code is amended to read:*

29 1203.2. (a) At any time during the period of supervision of a
30 person (1) released on probation under the care of a probation
31 officer pursuant to this chapter, (2) released on conditional sentence
32 or summary probation not under the care of a probation officer,
33 (3) placed on mandatory supervision pursuant to subparagraph (B)
34 of paragraph (5) of subdivision (h) of Section 1170, (4) subject to
35 revocation of postrelease community supervision pursuant to
36 Section 3455, or (5) subject to revocation of parole supervision
37 pursuant to Section 3000.08, if any probation officer, parole officer,
38 or peace officer has probable cause to believe that the supervised
39 person is violating any term or condition of his or her supervision,
40 the officer may, without warrant or other process and at any time

1 until the final disposition of the case, rearrest the supervised person
2 and bring him or her before the court or the court may, in its
3 discretion, issue a warrant for his or her rearrest. Upon such
4 rearrest, or upon the issuance of a warrant for rearrest the court
5 may revoke and terminate the supervision of the person if the
6 interests of justice so require and the court, in its judgment, has
7 reason to believe from the report of the probation or parole officer
8 or otherwise that the person has violated any of the conditions of
9 his or her supervision, has become abandoned to improper
10 associates or a vicious life, or has subsequently committed other
11 offenses, regardless whether he or she has been prosecuted for
12 such offenses. However, the court shall not terminate parole
13 pursuant to this section. Supervision shall not be revoked for failure
14 of a person to make restitution imposed as a condition of
15 supervision unless the court determines that the defendant has
16 willfully failed to pay and has the ability to pay. Restitution shall
17 be consistent with a person's ability to pay. The revocation,
18 summary or otherwise, shall serve to toll the running of the period
19 of supervision.

20 (b) (1) Upon its own motion or upon the petition of the
21 supervised person, the probation or parole ~~officer~~ *officer*, or the
22 ~~district attorney of attorney~~, the ~~county in which the person is~~
23 ~~supervised~~, the court may modify, revoke, or terminate supervision
24 of the person pursuant to this subdivision, except that the court
25 shall not terminate parole pursuant to this section. *The court in the*
26 *county in which the person is supervised has jurisdiction to hear*
27 *the motion or petition, or for those on parole, either the court in*
28 *the county of supervision or the court in the county in which the*
29 *alleged violation of supervision occurred.* A person supervised on
30 parole or postrelease community supervision pursuant to Section
31 3455 may not petition the court pursuant to this section for early
32 release from supervision, and a petition under this section shall
33 not be filed solely for the purpose of modifying parole. Nothing
34 in this section shall prohibit the court *in the county in which the*
35 *person is supervised or in which the alleged violation of*
36 *supervision occurred* from modifying a person's parole when
37 acting ~~on its~~ *the court's* own motion or a petition to revoke parole.
38 The court shall give notice of its motion, and the probation or
39 parole officer or the district attorney shall give notice of his or her
40 petition to the supervised person, his or her attorney of record, and

1 the district attorney or the probation or parole officer, as the case
2 may be. The supervised person shall give notice of his or her
3 petition to the probation or parole officer and notice of any motion
4 or petition shall be given to the district attorney in all cases. The
5 court shall refer its motion or the petition to the probation or parole
6 officer. After the receipt of a written report from the probation or
7 parole officer, the court shall read and consider the report and
8 either its motion or the petition and may modify, revoke, or
9 terminate the supervision of the supervised person upon the
10 grounds set forth in subdivision (a) if the interests of justice so
11 require.

12 (2) The notice required by this subdivision may be given to the
13 supervised person upon his or her first court appearance in the
14 proceeding. Upon the agreement by the supervised person in
15 writing to the specific terms of a modification or termination of a
16 specific term of supervision, any requirement that the supervised
17 person make a personal appearance in court for the purpose of a
18 modification or termination shall be waived. Prior to the
19 modification or termination and waiver of appearance, the
20 supervised person shall be informed of his or her right to consult
21 with counsel, and if indigent the right to secure court appointed
22 counsel. If the supervised person waives his or her right to counsel
23 a written waiver shall be required. If the supervised person consults
24 with counsel and thereafter agrees to a modification, revocation,
25 or termination of the term of supervision and waiver of personal
26 appearance, the agreement shall be signed by counsel showing
27 approval for the modification or termination and waiver.

28 (c) Upon any revocation and termination of probation the court
29 may, if the sentence has been suspended, pronounce judgment for
30 any time within the longest period for which the person might have
31 been sentenced. However, if the judgment has been pronounced
32 and the execution thereof has been suspended, the court may revoke
33 the suspension and order that the judgment shall be in full force
34 and effect. In either case, the person shall be delivered over to the
35 proper officer to serve his or her sentence, less any credits herein
36 provided for.

37 (d) In any case of revocation and termination of probation,
38 including, but not limited to, cases in which the judgment has been
39 pronounced and the execution thereof has been suspended, upon
40 the revocation and termination, the court may, in lieu of any other

1 sentence, commit the person to the Department of Corrections and
2 Rehabilitation, Division of Juvenile Facilities if he or she is
3 otherwise eligible for such commitment.

4 (e) If probation has been revoked before the judgment has been
5 pronounced, the order revoking probation may be set aside for
6 good cause upon motion made before pronouncement of judgment.
7 If probation has been revoked after the judgment has been
8 pronounced, the judgment and the order which revoked the
9 probation may be set aside for good cause within 30 days after the
10 court has notice that the execution of the sentence has commenced.
11 If an order setting aside the judgment, the revocation of probation,
12 or both is made after the expiration of the probationary period, the
13 court may again place the person on probation for that period and
14 with those terms and conditions as it could have done immediately
15 following conviction.

16 (f) As used in this section, the following definitions shall apply:

17 (1) "Court" means a judge, magistrate, or revocation hearing
18 officer described in Section 71622.5 of the Government Code.

19 (2) "Probation officer" means a probation officer as described
20 in Section 1203 or an officer of the agency designated by the board
21 of supervisors of a county to implement postrelease community
22 supervision pursuant to Section 3451.

23 (3) "Supervised person" means a person who satisfies any of
24 the following:

25 (A) He or she is released on probation subject to the supervision
26 of a probation officer.

27 (B) He or she is released on conditional sentence or summary
28 probation not under the care of a probation officer.

29 (C) He or she is subject to mandatory supervision pursuant to
30 subparagraph (B) of paragraph (5) of subdivision (h) of Section
31 1170.

32 (D) He or she is subject to revocation of postrelease community
33 supervision pursuant to Section 3455.

34 (E) He or she is subject to revocation of parole pursuant to
35 Section 3000.08.

36 (g) Nothing in this section affects the authority of the supervising
37 agency to impose intermediate sanctions, including flash
38 incarceration, to persons supervised on parole pursuant to Section
39 3000.8 or postrelease community supervision pursuant to Part 3
40 (commencing with Section 3450) of Title 2.05.

1 SEC. 8. Section 3000.08 of the Penal Code, as amended by
2 Section 44 of Chapter 24 of the Statutes of 2012, is amended to
3 read:

4 3000.08. (a) ~~Persons~~ A person released from state prison on
5 or after October 1, 2011, after serving a prison ~~term or~~, term, or
6 whose sentence has been deemed served pursuant to Section
7 2900.5, for any of the following crimes ~~shall be~~ is subject to the
8 jurisdiction of and parole supervision by the Department of
9 Corrections and Rehabilitation:

10 (1) A serious felony as described in subdivision (c) of Section
11 1192.7.

12 (2) A violent felony as described in subdivision (c) of Section
13 667.5.

14 (3) A crime for which the person was sentenced pursuant to
15 paragraph (2) of subdivision (e) of Section 667 or paragraph (2)
16 of subdivision (c) of Section 1170.12.

17 (4) Any crime ~~where for which~~ the person ~~eligible for release~~
18 ~~from prison~~ is classified as a ~~High Risk Sex Offender~~. *high risk*
19 *sex offender*.

20 (5) Any crime ~~where for which~~ the person is required, as a
21 condition of parole, to undergo treatment by the State Department
22 of State Hospitals pursuant to Section 2962.

23 (b) Notwithstanding any other ~~provision of~~ law, all other
24 offenders released from prison shall be placed on postrelease
25 supervision pursuant to Title 2.05 (commencing with Section
26 3450).

27 (c) Notwithstanding subdivision (a), any of the following
28 persons released from state prison shall be subject to the
29 jurisdiction of, and parole supervision by, the Department of
30 Corrections and Rehabilitation for a period of parole up to three
31 years or the parole term the person was subject to at the time of
32 the commission of the offense, whichever is greater:

33 (1) The person is required to register as a sex offender pursuant
34 to Chapter 5.5 (commencing with Section 290) of Title 9 of Part
35 1, and was subject to a period of parole exceeding three years at
36 the time he or she committed a felony for which they were
37 convicted and subsequently sentenced to state prison.

38 (2) The person was subject to parole for life pursuant to Section
39 3000.1 at the time of the commission of the offense that resulted
40 in a conviction and state prison sentence.

1 (d) Except as described in subdivision (c), any person who is
 2 convicted of a felony that requires community supervision and
 3 who still has a period of state parole to serve shall discharge from
 4 state parole at the time of release to community supervision.

5 (e) *Any person released to parole supervision pursuant to*
 6 *subdivision (a) shall, regardless of any subsequent determination*
 7 *that the person should have been released pursuant to subdivision*
 8 *(b), remain subject to subdivision (a) after having served 60 days*
 9 *under supervision pursuant to subdivision (a).*

10 (e)

11 (f) This section shall be operative only until July 1, 2013, and
 12 as of January 1, 2014, is repealed, unless a later enacted statute,
 13 that is enacted before January 1, 2014, deletes or extends that date.

14 *SEC. 9. Section 3000.08 of the Penal Code, as amended by*
 15 *Section 35 of Chapter 43 of the Statutes of 2012, is amended to*
 16 *read:*

17 3000.08. (a) ~~Persons~~ *A person* released from state prison prior
 18 to or on or after July 1, 2013, after serving a ~~prison term or, term,~~
 19 *or* whose sentence has been deemed served pursuant to Section
 20 2900.5, for any of the following crimes ~~shall be~~ *is* subject to parole
 21 supervision by the Department of Corrections and Rehabilitation
 22 and the jurisdiction of the court in the county ~~where in which~~
 23 ~~parolee is released~~ *released, resides, or resides in which an alleged*
 24 *violation of supervision has occurred, for the purpose of hearing*
 25 *petitions to revoke parole and impose a term of custody:*

26 (1) A serious felony as described in subdivision (c) of Section
 27 1192.7.

28 (2) A violent felony as described in subdivision (c) of Section
 29 667.5.

30 (3) A crime for which the person was sentenced pursuant to
 31 paragraph (2) of subdivision (e) of Section 667 or paragraph (2)
 32 of subdivision (c) of Section 1170.12.

33 (4) Any crime ~~where for which~~ *the person eligible for release*
 34 ~~from prison~~ *is* classified as a ~~High Risk Sex Offender.~~ *high risk*
 35 *sex offender.*

36 (5) Any crime ~~where for which~~ *the person is* required, as a
 37 condition of parole, to undergo treatment by the ~~State Department~~
 38 ~~of Mental Health~~ *State Hospitals* pursuant to Section 2962.

39 (b) Notwithstanding any other ~~provision of~~ *law,* all other
 40 offenders released from prison shall be placed on postrelease

1 supervision pursuant to Title 2.05 (commencing with Section
2 3450).

3 (c) At any time during the period of parole of a person subject
4 to this section, if any parole agent or peace officer has probable
5 cause to believe that the parolee is violating any term or condition
6 of his or her parole, the agent or officer may, without warrant or
7 other process and at any time until the final disposition of the case,
8 arrest the person and bring him or her before the court, or the court
9 may, in its discretion, issue a warrant for that person's arrest
10 pursuant to Section 1203.2.

11 (d) Upon review of the alleged violation and a finding of good
12 cause that the parolee has committed a violation of law or violated
13 his or her conditions of parole, the supervising parole agency may
14 impose additional and appropriate conditions of supervision,
15 including rehabilitation and treatment services and appropriate
16 incentives for compliance, and impose immediate, structured, and
17 intermediate sanctions for parole violations, including flash
18 incarceration in a county jail. Periods of "flash incarceration," as
19 defined in subdivision (e) are encouraged as one method of
20 punishment for violations of a parolee's conditions of parole.
21 ~~Nothing in this~~ This section is intended to *does not* preclude
22 referrals to a reentry court pursuant to Section 3015.

23 (e) "Flash incarceration" is a period of detention in county jail
24 due to a violation of a parolee's conditions of parole. The length
25 of the detention period can range between one and 10 consecutive
26 days. Shorter, but if necessary more frequent, periods of detention
27 for violations of a parolee's conditions of parole shall appropriately
28 punish a parolee while preventing the disruption in a work or home
29 establishment that typically arises from longer periods of detention.

30 (f) If the supervising parole agency has determined, following
31 application of its assessment processes, that intermediate sanctions
32 up to and including flash incarceration are not appropriate, the
33 supervising parole agency shall, pursuant to Section 1203.2,
34 petition *either* the court in the county in which the parolee is being
35 supervised *or the court in the county in which the alleged violation*
36 *of supervision occurred*, to revoke parole. At any point during the
37 process initiated pursuant to this section, a parolee may waive, in
38 writing, his or her right to counsel, admit the parole violation,
39 waive a court hearing, and accept the proposed parole modification
40 or revocation. The petition shall include a written report that

1 contains additional information regarding the petition, including
2 the relevant terms and conditions of parole, the circumstances of
3 the alleged underlying violation, the history and background of
4 the parolee, and any recommendations. The Judicial Council shall
5 adopt forms and rules of court to establish uniform statewide
6 procedures to implement this subdivision, including the minimum
7 contents of supervision agency reports. Upon a finding that the
8 person has violated the conditions of parole, the court shall have
9 authority to do any of the following:

10 (1) Return the person to parole supervision with modifications
11 of conditions, if appropriate, including a period of incarceration
12 in county jail.

13 (2) Revoke parole and order the person to confinement in the
14 county jail.

15 (3) Refer the person to a reentry court pursuant to Section 3015
16 or other evidence-based program in the court's discretion.

17 (g) Confinement pursuant to paragraphs (1) and (2) of
18 subdivision (f) shall not exceed a period of 180 days in the county
19 jail.

20 (h) ~~Notwithstanding any other provision of law, in any case~~
21 ~~where~~ *if* Section 3000.1 or paragraph (4) of subdivision (b) of
22 Section 3000 applies to a person who is on parole and the court
23 determines that the person has committed a violation of law or
24 violated his or her conditions of parole, the person on parole shall
25 be remanded to the custody of the Department of Corrections and
26 Rehabilitation and the jurisdiction of the Board of Parole Hearings
27 for the purpose of future parole consideration.

28 (i) Notwithstanding subdivision (a), any of the following persons
29 released from state prison shall be subject to the jurisdiction of,
30 and parole supervision by, the Department of Corrections and
31 Rehabilitation for a period of parole up to three years or the parole
32 term the person was subject to at the time of the commission of
33 the offense, whichever is greater:

34 (1) The person is required to register as a sex offender pursuant
35 to Chapter 5.5 (commencing with Section 290) of Title 9 of Part
36 1, and was subject to a period of parole exceeding three years at
37 the time he or she committed a felony for which they were
38 convicted and subsequently sentenced to state prison.

1 (2) The person was subject to parole for life pursuant to Section
2 3000.1 at the time of the commission of the offense that resulted
3 in a conviction and state prison sentence.

4 (j) Parolees subject to this section who have a pending
5 adjudication for a parole violation on July 1, 2013, ~~shall be~~ *are*
6 subject to the jurisdiction of the Board of Parole Hearings. Parole
7 revocation proceedings conducted by the Board of Parole Hearings
8 prior to July 1, 2013, if reopened on or after July 1, 2013, ~~shall be~~
9 *are* subject to the jurisdiction of the Board of Parole Hearings.

10 (k) Except as described in subdivision (c), any person who is
11 convicted of a felony that requires community supervision and
12 who still has a period of state parole to serve shall discharge from
13 state parole at the time of release to community supervision.

14 (l) *Any person released to parole supervision pursuant to*
15 *subdivision (a) shall, regardless of any subsequent determination*
16 *that the person should have been released pursuant to subdivision*
17 *(b), remain subject to subdivision (a) after having served 60 days*
18 *under supervision pursuant to subdivision (a).*

19 (†)

20 (m) This section shall become operative on July 1, 2013.

21 *SEC. 10. Section 3003 of the Penal Code is amended to read:*

22 3003. (a) Except as otherwise provided in this section, an
23 inmate who is released on parole or postrelease supervision as
24 provided by Title 2.05 (commencing with Section 3450) shall be
25 returned to the county that was the last legal residence of the inmate
26 prior to his or her incarceration. For purposes of this subdivision,
27 “last legal residence” shall not be construed to mean the county
28 wherein the inmate committed an offense while confined in a state
29 prison or local jail facility or while confined for treatment in a
30 state hospital.

31 (b) Notwithstanding subdivision (a), an inmate may be returned
32 to another county if that would be in the best interests of the public.
33 If the Board of Parole Hearings setting the conditions of parole
34 for inmates sentenced pursuant to subdivision (b) of Section 1168,
35 as determined by the parole consideration panel, or the Department
36 of Corrections and Rehabilitation setting the conditions of parole
37 for inmates sentenced pursuant to Section 1170, decides on a return
38 to another county, it shall place its reasons in writing in the
39 parolee’s permanent record and include these reasons in the notice
40 to the sheriff or chief of police pursuant to Section 3058.6. In

1 making its decision, the paroling authority shall consider, among
2 others, the following factors, giving the greatest weight to the
3 protection of the victim and the safety of the community:

4 (1) The need to protect the life or safety of a victim, the parolee,
5 a witness, or any other person.

6 (2) Public concern that would reduce the chance that the
7 inmate's parole would be successfully completed.

8 (3) The verified existence of a work offer, or an educational or
9 vocational training program.

10 (4) The existence of family in another county with whom the
11 inmate has maintained strong ties and whose support would
12 increase the chance that the inmate's parole would be successfully
13 completed.

14 (5) The lack of necessary outpatient treatment programs for
15 parolees receiving treatment pursuant to Section 2960.

16 (c) The Department of Corrections and Rehabilitation, in
17 determining an out-of-county commitment, shall give priority to
18 the safety of the community and any witnesses and victims.

19 (d) In making its decision about an inmate who participated in
20 a joint venture program pursuant to Article 1.5 (commencing with
21 Section 2717.1) of Chapter 5, the paroling authority shall give
22 serious consideration to releasing him or her to the county where
23 the joint venture program employer is located if that employer
24 states to the paroling authority that he or she intends to employ
25 the inmate upon release.

26 (e) (1) The following information, if available, shall be released
27 by the Department of Corrections and Rehabilitation to local law
28 enforcement agencies regarding a paroled inmate or inmate placed
29 on postrelease supervision pursuant to Title 2.05 (commencing
30 with Section 3450) who is released in their jurisdictions:

31 (A) Last, first, and middle name.

32 (B) Birth date.

33 (C) Sex, race, height, weight, and hair and eye color.

34 (D) Date of parole and discharge.

35 (E) Registration status, if the inmate is required to register as a
36 result of a controlled substance, sex, or arson offense.

37 (F) California Criminal Information Number, FBI number, social
38 security number, and driver's license number.

39 (G) County of commitment.

40 (H) A description of scars, marks, and tattoos on the inmate.

1 (I) Offense or offenses for which the inmate was convicted that
2 resulted in parole in this instance.

3 (J) Address, including all of the following information:

4 (i) Street name and number. Post office box numbers are not
5 acceptable for purposes of this subparagraph.

6 (ii) City and ZIP Code.

7 (iii) Date that the address provided pursuant to this subparagraph
8 was proposed to be effective.

9 (K) Contact officer and unit, including all of the following
10 information:

11 (i) Name and telephone number of each contact officer.

12 (ii) Contact unit type of each contact officer such as units
13 responsible for parole, registration, or county probation.

14 (L) A digitized image of the photograph and at least a single
15 digit fingerprint of the parolee.

16 (M) A geographic coordinate for the parolee's residence location
17 for use with a Geographical Information System (GIS) or
18 comparable computer program.

19 (2) *Unless the information is unavailable, the Department of*
20 *Corrections and Rehabilitation shall electronically transmit to the*
21 *county agency identified in subdivision (a) of Section 3451 the*
22 *inmate's tuberculosis status, specific medical, mental health, and*
23 *outpatient clinic needs, and any medical concerns or disabilities*
24 *for the county to consider as the offender transitions onto*
25 *postrelease community supervision pursuant to Section 3450, for*
26 *the purpose of identifying the medical and mental health needs of*
27 *the individual. All transmissions to the county agency shall be in*
28 *compliance with applicable provisions of the federal Health*
29 *Insurance Portability and Accountability Act of 1996 (HIPAA)*
30 *(Public Law 104-191), the federal Health Information Technology*
31 *for Clinical Health Act (HITECH) (Public Law 111-005), and the*
32 *implementing of privacy and security regulations in Parts 160 and*
33 *164 of Title 45 of the Code of Federal Regulations. This paragraph*
34 *shall not take effect until the Secretary of the United States*
35 *Department of Health and Human Services, or his or her designee,*
36 *determines that this provision is not preempted by HIPAA.*

37 ~~(2) The~~

38 (3) *Except for the information required by paragraph (2), the*
39 *information required by this subdivision shall come from the*

1 statewide parolee database. The information obtained from each
2 source shall be based on the same timeframe.

3 ~~(3)~~

4 (4) All of the information required by this subdivision shall be
5 provided utilizing a computer-to-computer transfer in a format
6 usable by a desktop computer system. The transfer of this
7 information shall be continually available to local law enforcement
8 agencies upon request.

9 ~~(4)~~

10 (5) The unauthorized release or receipt of the information
11 described in this subdivision is a violation of Section 11143.

12 (f) Notwithstanding any other provision of law, an inmate who
13 is released on parole shall not be returned to a location within 35
14 miles of the actual residence of a victim of, or a witness to, a
15 violent felony as defined in paragraphs (1) to (7), inclusive, and
16 paragraph (16) of subdivision (c) of Section 667.5 or a felony in
17 which the defendant inflicts great bodily injury on any person other
18 than an accomplice that has been charged and proved as provided
19 for in Section 12022.53, 12022.7, or 12022.9, if the victim or
20 witness has requested additional distance in the placement of the
21 inmate on parole, and if the Board of Parole Hearings or the
22 Department of Corrections and Rehabilitation finds that there is a
23 need to protect the life, safety, or well-being of a victim or witness.

24 (g) Notwithstanding any other law, an inmate who is released
25 on parole for a violation of Section 288 or 288.5 whom the
26 Department of Corrections and Rehabilitation determines poses a
27 high risk to the public shall not be placed or reside, for the duration
28 of his or her parole, within one-half mile of any public or private
29 school including any or all of kindergarten and grades 1 to 12,
30 inclusive.

31 (h) Notwithstanding any other law, an inmate who is released
32 on parole for an offense involving stalking shall not be returned
33 to a location within 35 miles of the victim's actual residence or
34 place of employment if the victim or witness has requested
35 additional distance in the placement of the inmate on parole, and
36 if the Board of Parole Hearings or the Department of Corrections
37 and Rehabilitation finds that there is a need to protect the life,
38 safety, or well-being of the victim.

39 (i) The authority shall give consideration to the equitable
40 distribution of parolees and the proportion of out-of-county

1 commitments from a county compared to the number of
2 commitments from that county when making parole decisions.

3 (j) An inmate may be paroled to another state pursuant to any
4 other law. The Department of Corrections and Rehabilitation shall
5 coordinate with local entities regarding the placement of inmates
6 placed out of state on postrelease supervision pursuant to Title
7 2.05 (commencing with Section 3450).

8 (k) (1) Except as provided in paragraph (2), the Department of
9 Corrections and Rehabilitation shall be the agency primarily
10 responsible for, and shall have control over, the program, resources,
11 and staff implementing the Law Enforcement Automated Data
12 System (LEADS) in conformance with subdivision (e). County
13 agencies supervising inmates released to postrelease supervision
14 pursuant to Title 2.05 (commencing with Section 3450) shall
15 provide any information requested by the department to ensure
16 the availability of accurate information regarding inmates released
17 from state prison. This information may include the issuance of
18 warrants, revocations, or the termination of postrelease supervision.
19 On or before August 1, 2011, county agencies designated to
20 supervise inmates released to postrelease supervision shall notify
21 the department that the county agencies have been designated as
22 the local entity responsible for providing that supervision.

23 (2) Notwithstanding paragraph (1), the Department of Justice
24 shall be the agency primarily responsible for the proper release of
25 information under LEADS that relates to fingerprint cards.

26 (l) In addition to the requirements under subdivision (k), the
27 Department of Corrections and Rehabilitation shall submit to the
28 Department of Justice data to be included in the supervised release
29 file of the California Law Enforcement Telecommunications
30 System (CLETS) so that law enforcement can be advised through
31 CLETS of all persons on postrelease community supervision and
32 the county agency designated to provide supervision. The data
33 required by this subdivision shall be provided via electronic
34 transfer.

35 *SEC. 11. Section 3451 of the Penal Code is amended to read:*

36 3451. (a) Notwithstanding any other law and except for persons
37 serving a prison term for any crime described in subdivision (b),
38 all persons released from prison on and after October 1, 2011, or,
39 whose sentence has been deemed served pursuant to Section 2900.5
40 after serving a prison term for a felony shall, upon release from

1 prison and for a period not exceeding three years immediately
2 following release, be subject to community supervision provided
3 by a county agency designated by each county's board of
4 supervisors which is consistent with evidence-based practices,
5 including, but not limited to, supervision policies, procedures,
6 programs, and practices demonstrated by scientific research to
7 reduce recidivism among individuals under postrelease supervision.

8 (b) This section shall not apply to any person released from
9 prison after having served a prison term for any of the following:

10 (1) A serious felony described in subdivision (c) of Section
11 1192.7.

12 (2) A violent felony described in subdivision (c) of Section
13 667.5.

14 (3) A crime for which the person was sentenced pursuant to
15 paragraph (2) of subdivision (e) of Section 667 or paragraph (2)
16 of subdivision (c) of Section 1170.12.

17 (4) Any crime ~~where for which~~ the person ~~eligible for release~~
18 ~~from prison~~ is classified as a ~~High Risk Sex Offender~~. *high risk*
19 *sex offender*.

20 (5) Any crime ~~where for which~~ the person is required, as a
21 condition of parole, to undergo treatment by the State Department
22 of State Hospitals pursuant to Section 2962.

23 (c) (1) Postrelease supervision under this title shall be
24 implemented by a county agency according to a postrelease strategy
25 designated by each county's board of supervisors.

26 (2) The Department of Corrections and Rehabilitation shall
27 inform every prisoner subject to the provisions of this title, upon
28 release from state prison, of the requirements of this title and of
29 his or her responsibility to report to the county agency responsible
30 for serving that inmate. The department shall also inform persons
31 serving a term of parole for a felony offense who are subject to
32 this section of the requirements of this title and of his or her
33 responsibility to report to the county agency responsible for serving
34 that parolee. Thirty days prior to the release of any person subject
35 to postrelease supervision by a county, the department shall notify
36 the county of all information that would otherwise be required for
37 parolees under subdivision (e) of Section 3003.

38 (d) *Any person released to postrelease community supervision*
39 *pursuant to subdivision (a) shall, regardless of any subsequent*
40 *determination that the person should have been released to parole*

1 pursuant to Section 3000.08, remain subject to subdivision (a)
2 after having served 60 days under supervision pursuant to
3 subdivision (a).

4 SEC. 12. Section 4019.1 is added to the Penal Code, to read:

5 4019.1. (a) Notwithstanding any other law, the sheriff or
6 county director of corrections may, at his or her discretion, award
7 additional time credits to any inmate sentenced to the county jail
8 who participates in an in-custody work or job training program
9 other than those specified in Section 4019.2, and who is eligible
10 to receive one day of credit for every one day of incarceration
11 pursuant to Section 4019. The sheriff or county director of
12 corrections may instead award one and one-half days of credit for
13 every one day of incarceration while satisfactorily participating
14 in work or job training subject to this section.

15 (b) As used in this section, a work or job training program
16 includes, but is not limited to, any inmate working on an industrial
17 farm or industrial road camp as authorized in Section 4101, an
18 environmental improvement and preservation program, or projects
19 such as forest and brush fire prevention, forest, brush, and
20 watershed management, fish and game management, soil
21 conservation, and forest and watershed revegetation.

22 SEC. 13. Section 5003.2 is added to the Penal Code, to read:

23 5003.2. (a) The Secretary of the Department of Corrections
24 and Rehabilitation, or his or her designee, shall provide written
25 notification to any county impacted by the opening, closing, or
26 changing of location of any reception center that accepts prisoners
27 from county facilities, or by the opening, closing, or changing of
28 the location of a parole office. Written notification of these changes
29 shall also be provided to the California State Association of
30 Counties, the California State Sheriffs' Association, and the Chief
31 Probation Officers of California at least 90 days prior to the
32 proposed change.

33 (b) The notification requirement in this section shall not apply
34 to the opening, closing, or changing of location of a facility due
35 to an emergency created by a riot, quarantine, or natural disaster.

36 SEC. 14. Section 13821 of the Penal Code is amended to read:

37 13821. (a) For the 2011–12 fiscal year, the Controller shall
38 allocate 9 percent of the amount deposited in the Local Law
39 Enforcement Services Account in the Local Revenue Fund 2011
40 to the California Emergency Management Agency. The Controller

1 shall allocate these funds on a quarterly basis beginning on October
2 1. These funds shall be allocated by the Controller pursuant to a
3 schedule provided by the California Emergency Management
4 Agency which shall be developed according to the agency's
5 existing programmatic guidelines and the following percentages:

6 (1) The California Multi-Jurisdictional Methamphetamine
7 Enforcement Teams shall receive 47.52 percent in the 2011–12
8 fiscal year.

9 (2) The Multi-Agency Gang Enforcement Consortium shall
10 receive 0.2 percent in the 2011–12 fiscal year.

11 (3) The Sexual Assault Felony Enforcement Teams, authorized
12 by Section 13887, shall receive 12.48 percent in the 2011–12 fiscal
13 year.

14 (4) The High Technology Theft Apprehension and Prosecution
15 Program, authorized by Section 13848.2, shall receive 26.83
16 percent in the 2011–12 fiscal year.

17 (5) The Gang Violence Suppression Program authorized by
18 Section 13826.1, shall receive 3.91 percent in the 2011–12 fiscal
19 year.

20 (6) The Central Valley and Central Coast Rural Crime
21 Prevention Programs, authorized by Sections 14170 and 14180,
22 shall receive 9.06 percent in the 2011–12 fiscal year.

23 (b) For the 2011–12 fiscal year, the California Emergency
24 Management Agency may be reimbursed up to five hundred eleven
25 thousand dollars (\$511,000) from the funds allocated in subdivision
26 (a) for program administrative costs.

27 (c) Commencing with the 2012–13 fiscal year, the Controller
28 shall allocate 8.35 percent of the amount deposited in the
29 Enhancing Law Enforcement Activities Subaccount in the Local
30 Revenue Fund 2011 and shall distribute the moneys as follows:

31 (1) Commencing with the 2012–13 fiscal year, the California
32 Multi-Jurisdictional Methamphetamine Enforcement Teams shall
33 receive 47.52 percent and shall be allocated by the Controller
34 according to the following schedule:

35
36
37
38
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Alameda County	1.7109%
Alpine County	0.6327%
Amador County	0.6327%
Butte County	1.6666%

1	Calaveras County	0.8435%
2	Colusa County	0.1623%
3	Contra Costa County	1.3163%
4	Del Norte County	0.2167%
5	El Dorado County	1.3716%
6	Fresno County	5.3775%
7	Glenn County	0.2130%
8	Humboldt County	1.0198%
9	Imperial County	2.5510%
10	Inyo County	0.6327%
11	Kern County	5.6938%
12	Kings County	0.9701%
13	Lake County	0.6604%
14	Lassen County	0.2643%
15	Los Angeles County	5.3239%
16	Madera County	0.9701%
17	Marin County	0.6292%
18	Mariposa County	0.6327%
19	Mendocino County	0.6846%
20	Merced County	1.8136%
21	Modoc County	0.0734%
22	Mono County	0.6327%
23	Monterey County	0.9018%
24	Napa County	0.6803%
25	Nevada County	0.7482%
26	Orange County	1.5661%
27	Placer County	2.6395%
28	Plumas County	0.1516%
29	Riverside County	5.6395%
30	Sacramento County	10.0169%
31	San Benito County	0.8404%
32	San Bernardino County	8.9364%
33	San Diego County	2.5510%
34	San Francisco County	1.0034%
35	San Joaquin County	4.6394%
36	San Luis Obispo County	1.3483%
37	San Mateo County	1.1224%
38	Santa Barbara County	1.3483%
39		

1	Santa Clara County	2.0612%
2	Santa Cruz County	0.8333%
3	Shasta County	1.3426%
4	Sierra County	0.0245%
5	Siskiyou County	0.3401%
6	Solano County	1.8979%
7	Sonoma County	1.1610%
8	Stanislaus County	3.6272%
9	Sutter County	0.7177%
10	Tehama County	0.4808%
11	Trinity County	0.1044%
12	Tulare County	2.5306%
13	Tuolumne County	0.6327%
14	Ventura County	1.3483%
15	Yolo County	1.5215%
16	Yuba County	0.5466%

18
 19 (2) Commencing with the 2013–14 fiscal year, the California
 20 Multi-Jurisdictional Methamphetamine Enforcement Teams shall
 21 receive 47.52 percent and shall be allocated in monthly
 22 installments by the Controller according to the following schedule:

23	<i>Alameda County</i>	<i>1.7109%</i>
24	<i>Alpine County</i>	<i>0.6327%</i>
25	<i>Amador County</i>	<i>0.6327%</i>
26	<i>Butte County</i>	<i>1.6666%</i>
27	<i>Calaveras County</i>	<i>0.8435%</i>
28	<i>Colusa County</i>	<i>0.1623%</i>
29	<i>Contra Costa County</i>	<i>1.3163%</i>
30	<i>Del Norte County</i>	<i>0.2167%</i>
31	<i>El Dorado County</i>	<i>1.3716%</i>
32	<i>Fresno County</i>	<i>5.3775%</i>
33	<i>Glenn County</i>	<i>0.2130%</i>
34	<i>Humboldt County</i>	<i>1.0198%</i>
35	<i>Imperial County</i>	<i>2.5510%</i>
36	<i>Inyo County</i>	<i>0.6327%</i>
37	<i>Kern County</i>	<i>5.6938%</i>
38	<i>Kings County</i>	<i>0.9701%</i>
39	<i>Lake County</i>	<i>0.6604%</i>
40		

1	<i>Lassen County</i>	0.2643%
2	<i>Los Angeles County</i>	5.3239%
3	<i>Madera County</i>	0.9701%
4	<i>Marin County</i>	0.6292%
5	<i>Mariposa County</i>	0.6327%
6	<i>Mendocino County</i>	0.6846%
7	<i>Merced County</i>	1.8136%
8	<i>Modoc County</i>	0.0734%
9	<i>Mono County</i>	0.6327%
10	<i>Monterey County</i>	0.9018%
11	<i>Napa County</i>	0.6803%
12	<i>Nevada County</i>	0.7482%
13	<i>Orange County</i>	1.5661%
14	<i>Placer County</i>	2.6395%
15	<i>Plumas County</i>	0.1516%
16	<i>Riverside County</i>	5.6395%
17	<i>Sacramento County</i>	10.0169%
18	<i>San Benito County</i>	0.8404%
19	<i>San Bernardino County</i>	8.9364%
20	<i>San Diego County</i>	2.5510%
21	<i>San Francisco County</i>	1.0034%
22	<i>San Joaquin County</i>	4.6394%
23	<i>San Luis Obispo County</i>	1.3483%
24	<i>San Mateo County</i>	1.1224%
25	<i>Santa Barbara County</i>	1.3483%
26	<i>Santa Clara County</i>	2.0612%
27	<i>Santa Cruz County</i>	0.8333%
28	<i>Shasta County</i>	1.3426%
29	<i>Sierra County</i>	0.0245%
30	<i>Siskiyou County</i>	0.3401%
31	<i>Solano County</i>	1.8979%
32	<i>Sonoma County</i>	1.1610%
33	<i>Stanislaus County</i>	3.6272%
34	<i>Sutter County</i>	0.7177%
35	<i>Tehama County</i>	0.4808%
36	<i>Trinity County</i>	0.1044%
37	<i>Tulare County</i>	2.5306%
38	<i>Tuolumne County</i>	0.6327%
39		

1	Ventura County	1.3483%
2	Yolo County	1.5215%
3	Yuba County	0.5466%

4
5 ~~(2)~~

6 (3) Commencing with the 2012–13 fiscal year, the Multi-Agency
7 Gang Enforcement Consortium shall receive 0.2 percent and shall
8 be allocated by the Controller to Fresno County.

9 (4) *Commencing with the 2013–14 fiscal year, the Multi-Agency*
10 *Gang Enforcement Consortium shall receive 0.2 percent and shall*
11 *be allocated in monthly installments by the Controller to Fresno*
12 *County.*

13 ~~(3)~~

14 (5) Commencing with the 2012–13 fiscal year, the Sexual
15 Assault Felony Enforcement Teams, authorized by Section 13887,
16 shall receive 12.48 percent and shall be allocated by the Controller
17 according to the following schedule:

18	Los Angeles County	21.0294%
19	Riverside County	12.8778%
20	Sacramento County	14.0198%
21	San Luis Obispo County	12.0168%
22	Santa Clara County	17.0238%
23	Shasta County	12.0168%
24	Tulare County	11.0156%

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26
27 (6) *Commencing with the 2013–14 fiscal year, the Sexual Assault*
28 *Felony Enforcement Teams, authorized by Section 13887, shall*
29 *receive 12.48 percent and shall be allocated by the Controller in*
30 *monthly installments according to the following schedule:*

31	Los Angeles County	21.0294%
32	Riverside County	12.8778%
33	Sacramento County	14.0198%
34	San Luis Obispo County	12.0168%
35	Santa Clara County	17.0238%
36	Shasta County	12.0168%
37	Tulare County	11.0156%

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~~(4)~~

(7) Commencing with the 2012–13 fiscal year, the High Technology Theft Apprehension and Prosecution Program, authorized by Section 13848.2, shall receive 26.83 percent and shall be allocated by the Controller according to the following schedule:

Los Angeles County	18.25%
Marin County	18.25%
Marin County, for use by the Department of Justice in implementing subdivision (b) of Section 13848.4	7.00%
Marin County, for use by the California District Attorneys Association in implementing subdivision (b) of Section 13848.4	1.75%
Sacramento County	18.25%
San Diego County	18.25%
Santa Clara County	18.25%

(8) Commencing with the 2013–14 fiscal year, the High Technology Theft Apprehension and Prosecution Program, authorized by Section 13848.2, shall receive 26.83 percent and shall be allocated by the Controller in monthly installments according to the following schedule:

<i>Los Angeles County</i>	<i>18.25%</i>
<i>Marin County</i>	<i>18.25%</i>
<i>Marin County, for use by the Department of Justice in implementing subdivision (b) of Section 13848.4</i>	<i>7.00%</i>
<i>Marin County, for use by the California District Attorneys Association in implementing subdivision (b) of Section 13848.4</i>	<i>1.75%</i>
<i>Sacramento County</i>	<i>18.25%</i>
<i>San Diego County</i>	<i>18.25%</i>
<i>Santa Clara County</i>	<i>18.25%</i>

~~(5)~~

(9) Commencing with the 2012–13 fiscal year, the Gang Violence Suppression Program, authorized by Section 13826.1,

1 shall receive 3.91 percent and shall be allocated by the Controller
2 according to the following schedule:

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Alameda County	9.6775%
Los Angeles County	22.5808%
Monterey County	9.6775%
Napa County	17.7417%
City of Oxnard	17.7417%
City of Sacramento	22.5808%

11 *(10) Commencing with the 2013–14 fiscal year, the Gang*
12 *Violence Suppression Program, authorized by Section 13826.1,*
13 *shall receive 3.91 percent and shall be allocated by the Controller*
14 *in monthly installments according to the following schedule:*

15
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<i>Alameda County</i>	<i>9.6775%</i>
<i>Los Angeles County</i>	<i>22.5808%</i>
<i>Monterey County</i>	<i>9.6775%</i>
<i>Napa County</i>	<i>17.7417%</i>
<i>City of Oxnard</i>	<i>17.7417%</i>
<i>City of Sacramento</i>	<i>22.5808%</i>

23 ~~(6)~~
24 *(11) Commencing with the 2012–13 fiscal year, the Central*
25 *Valley and Central Coast Rural Crime Prevention Programs,*
26 *authorized by Sections 14170 and 14180, shall receive 9.06 percent*
27 *and shall be allocated by the Controller according to the following*
28 *schedule:*

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Fresno County	18.5588%
Kern County	13.7173%
Kings County	6.8587%
Madera County	4.4380%
Merced County	6.8587%
Monterey County	7.2411%
San Benito County	4.8273%
San Joaquin County	6.8587%
San Luis Obispo County	2.1723%
Santa Barbara County	3.6206%

Santa Cruz County	1.4482%
Stanislaus County	6.8587%
Tulare County	16.5415%

(12) Commencing with the 2013–14 fiscal year, the Central Valley and Central Coast Rural Crime Prevention Programs, authorized by Sections 14170 and 14180, shall receive 9.06 percent and shall be allocated by the Controller in monthly installments according to the following schedule:

Fresno County	18.5588%
Kern County	13.7173%
Kings County	6.8587%
Madera County	4.4380%
Merced County	6.8587%
Monterey County	7.2411%
San Benito County	4.8273%
San Joaquin County	6.8587%
San Luis Obispo County	2.1723%
Santa Barbara County	3.6206%
Santa Cruz County	1.4482%
Stanislaus County	6.8587%
Tulare County	16.5415%

(d) For any of the programs described in this section, funding will be distributed by local agencies as would otherwise have occurred pursuant to Section 1 of Chapter 13 of the Statutes of 2011, First Extraordinary Session.

SEC. 15. Section 1955 of the Welfare and Institutions Code is amended to read:

1955. (a) The allocation amount for each county from the Youthful Offender Block Grant Fund for offenders subject to Sections 733, 1766, and 1767.35 shall be allocated in four equal installments, to be paid in September, December, March, and June of each fiscal year, until June 30, 2013. Commencing with the 2013–14 fiscal year, the allocation amount for each county from the Youthful Offender Block Grant Special Account established in paragraph (2) of subdivision (c) of Section 30025 of the Government Code for offenders subject to Sections 733, 1766, and

1 1767.35 shall be allocated in monthly installments. In each fiscal
2 year, the allocation amount shall be determined as follows:

3 (1) Fifty percent based on the number of the county's juvenile
4 felony court dispositions, according to the most recent data
5 compiled by the Department of Justice, calculated as a percentage
6 of the state total.

7 (2) Fifty percent based on the county's population of minors
8 from 10 to 17 years of age, inclusive, according to the most recent
9 data published by the Department of Finance, calculated as a
10 percentage of the state total.

11 (b) Each county shall receive a minimum block grant allocation
12 of fifty-eight thousand five hundred dollars (\$58,500) for the
13 2007–08 fiscal year, and a minimum block grant allocation of one
14 hundred seventeen thousand dollars (\$117,000) for each fiscal year
15 thereafter.

16 (c) Commencing with the 2008–09 fiscal year, allocations shall
17 be available to counties that have met the requirements of Section
18 1961.

19 *SEC. 16. Section 1984 of the Welfare and Institutions Code is*
20 *amended to read:*

21 1984. (a) The amount allocated to each county probation
22 department from the Juvenile Reentry Grant shall be distributed
23 in two equal payments to be paid on October 30 and May 30 of
24 each fiscal year, until June 30, 2013. Commencing with the
25 2013–14 fiscal year, the amount allocated to each county probation
26 department from the Juvenile Reentry Grant Special Account
27 established in paragraph (2) of subdivision (c) of Section 30025
28 of the Government Code shall be allocated in monthly installments.
29 In each fiscal year the amount allocated to each county probation
30 department from the Juvenile Reentry Grant Special Account shall
31 be distributed pursuant to the criteria set forth in subdivisions (b)
32 to (g), inclusive, of this section.

33 (b) Consistent with Sections 1766 and 1766.01, funds shall be
34 allocated in the amount of fifteen thousand dollars (\$15,000) on
35 an average daily population basis per ward discharged to the
36 jurisdiction of the court and ordered by the court to be supervised
37 by local county probation for monitoring and services during the
38 previous fiscal year based on the actual number of discharged
39 wards supervised at the local level. For each discharged ward, this
40 funding shall be provided for 24 months.

1 (c) Consistent with Sections 208.5, 1767.35, and 1767.36, funds
2 shall be allocated in the amount of one hundred fifteen thousand
3 dollars (\$115,000) on an average daily population basis per
4 discharged ward transferred to a local juvenile facility for violating
5 a condition of court-ordered supervision during the previous fiscal
6 year based on the actual number of discharged wards housed in a
7 local juvenile detention facility or court-ordered placement facility
8 where the costs of the housing is not reimbursable to the county
9 through Title IV-E of the federal Social Security Act, or Medi-Cal.
10 For each discharged ward, this funding shall be provided for the
11 actual number of months the ward is housed in a facility up to 12
12 months. This funding shall not be provided for wards housed in a
13 jail under any circumstances.

14 (d) Consistent with Section 731.1, funds shall be allocated in
15 the amount of fifteen thousand dollars (\$15,000) on an average
16 daily population basis per parolee recalled by the county of
17 commitment for monitoring and services during the previous fiscal
18 year based on the actual number of parolees recalled. For each
19 recalled parolee, this funding shall be provided for the remaining
20 duration of the term of state supervision, not to exceed 24 months.

21 (e) Consistent with Sections 1766 and 1766.01, funds shall be
22 allocated in the amount of fifteen thousand dollars (\$15,000) on
23 an average daily population basis per discharged ward transferred
24 to the county of commitment for monitoring and services during
25 the previous fiscal year based on the actual number of wards
26 transferred. For each ward transferred on and after July 1, 2014,
27 this funding shall be provided for the remaining duration of the
28 term of juvenile court jurisdiction, not to exceed 24 months.

29 (f) Consistent with Sections 208.5, 1767.35, and 1767.36, no
30 additional funding, beyond the initial fifteen thousand dollars
31 (\$15,000) provided pursuant to subdivision (b) shall be allocated
32 to counties for discharged wards who are housed in county jail or
33 in any other county correctional facility for violating a condition
34 of court-ordered supervision during the previous fiscal year.

35 (g) Consistent with Sections 208.5, 1767.35, and 1767.36, no
36 additional funding, beyond the initial fifteen thousand dollars
37 (\$15,000) provided pursuant to subdivision (b) shall be allocated
38 to counties for discharged wards who are housed in a state juvenile
39 facility for violating a condition of court-ordered supervision during
40 the previous fiscal year.

1 SEC. 17. Section 18220 of the Welfare and Institutions Code
2 is amended to read:

3 18220. (a) For the 2011–12 fiscal year, the Controller shall
4 allocate 33.38 percent of the funds deposited in the Local Law
5 Enforcement Services Account in the Local Revenue Fund 2011
6 for purposes of Section 18221.

7 (b) (1) Commencing with the 2012–13 fiscal year, the
8 Controller shall allocate 30.99 percent of the funds deposited in
9 the Enhancing Law Enforcement Activities Subaccount in the
10 Local Revenue Fund 2011 according to the schedule in subdivision
11 (c), for purposes of Section 18221.

12 (2) Commencing with the 2013–14 fiscal year, the Controller
13 shall allocate, in monthly installments, the funds specified in
14 paragraph (1) in accordance with subdivision (c).

15 (c) The Controller shall allocate funds to local jurisdictions to
16 support juvenile probation activities according to the following
17 schedule:

18	
19	Alameda County..... 3.9522%
20	Alpine County..... 0.0004%
21	Amador County..... 0.0597%
22	Butte County..... 0.3193%
23	Calaveras County..... 0.0611%
24	Colusa County..... 0.0341%
25	Contra Costa County..... 2.6634%
26	Del Norte County..... 0.1170%
27	El Dorado County..... 0.3016%
28	Fresno County..... 2.1547%
29	Glenn County..... 0.0536%
30	Humboldt County..... 0.1696%
31	Imperial County..... 0.3393%
32	Inyo County..... 0.1432%
33	Kern County..... 2.5687%
34	Kings County..... 0.3839%
35	Lake County..... 0.1866%
36	Lassen County..... 0.0543%
37	Los Angeles County..... 40.1353%
38	Madera County..... 0.2399%
39	Marin County..... 0.3742%
40	Mariposa County..... 0.0133%

1	Mendocino County.....	0.1975%
2	Merced County.....	0.3464%
3	Modoc County.....	0.0213%
4	Mono County.....	0.0071%
5	Monterey County.....	0.6039%
6	Napa County.....	0.3520%
7	Nevada County.....	0.1244%
8	Orange County.....	8.4582%
9	Placer County.....	0.2667%
10	Plumas County.....	0.0273%
11	Riverside County.....	3.2234%
12	Sacramento County.....	2.1350%
13	San Benito County.....	0.2136%
14	San Bernardino County.....	3.4715%
15	San Diego County.....	5.6095%
16	San Francisco County.....	1.9161%
17	San Joaquin County.....	0.8854%
18	San Luis Obispo County.....	0.6007%
19	San Mateo County.....	1.8974%
20	Santa Barbara County.....	1.6561%
21	Santa Clara County.....	5.8082%
22	Santa Cruz County.....	0.6128%
23	Shasta County.....	0.4116%
24	Sierra County.....	0.0037%
25	Siskiyou County.....	0.0750%
26	Solano County.....	1.0363%
27	Sonoma County.....	1.3043%
28	Stanislaus County.....	0.5275%
29	Sutter County.....	0.1344%
30	Tehama County.....	0.1444%
31	Trinity County.....	0.0346%
32	Tulare County.....	1.4116%
33	Tuolumne County.....	0.0706%
34	Ventura County.....	1.7193%
35	Yolo County.....	0.2543%
36	Yuba County.....	0.1125%

37
38

39 *SEC. 18. Section 18220.1 of the Welfare and Institutions Code*
40 *is amended to read:*

1 18220.1. (a) For the 2011–12 fiscal year, the Controller shall,
2 on a quarterly basis beginning October 1, allocate 6.47 percent of
3 the funds deposited in the Local Law Enforcement Services
4 Account in the Local Revenue Fund 2011 pursuant to a schedule
5 provided by the Department of Corrections and Rehabilitation.
6 The department’s schedule shall provide for the allocation of funds
7 appropriated in the annual Budget Act, and included in the Local
8 Law Enforcement Services Account, among counties that operate
9 juvenile camps and ranches based on the number of occupied beds
10 in each camp as of 12:01 a.m. each day, up to the Corrections
11 Standards Authority rated maximum capacity, as determined by
12 the Corrections Standards Authority.

13 (b) Commencing with the 2012–13 fiscal year, the Controller
14 shall allocate 6.01 percent of the funds deposited in the Enhancing
15 Law Enforcement Activities Subaccount in the Local Revenue
16 Fund 2011 pursuant to the schedule provided by the Department
17 of Finance based on data reported to the Board of State and
18 Community Corrections. The schedule shall provide for the
19 allocation of funds appropriated in the annual Budget Act, and
20 included in the Enhancing Law Enforcement Activities Subaccount,
21 among counties that operate juvenile camps and ranches based on
22 the number of occupied beds in each camp as of 12:01 a.m. each
23 day, up to the rated maximum capacity, as determined by the board.
24 Allocations shall be made following the end of each fiscal quarter,
25 beginning July 1, 2012, to account for beds occupied in that quarter.

26 (c) *Commencing with the 2013–14 fiscal year, the Controller*
27 *shall allocate 6.01 percent of the funds deposited in the Enhancing*
28 *Law Enforcement Activities Subaccount in the Local Revenue Fund*
29 *2011 pursuant to the schedule provided by the Department of*
30 *Finance based on data reported to the Board of State and*
31 *Community Corrections. The schedule shall provide for the*
32 *allocation of funds appropriated in the annual Budget Act, and*
33 *included in the Enhancing Law Enforcement Activities Subaccount,*
34 *among counties that operate juvenile camps and ranches based*
35 *on the number of occupied beds in each camp as of 12:01 a.m.*
36 *each day, up to the rated maximum capacity, as determined by the*
37 *board. Allocations shall be made in monthly installments.*

38 *SEC. 19. If the Commission on State Mandates determines*
39 *that this act contains costs mandated by the state, reimbursement*
40 *to local agencies and school districts for those costs shall be made*

1 *pursuant to Part 7 (commencing with Section 17500) of Division*
2 *4 of Title 2 of the Government Code.*

3 *SEC. 20. The amount of two thousand dollars (\$2,000) is*
4 *hereby appropriated from the California Bingo Fund to the*
5 *Gambling Control Commission for the purpose of supporting*
6 *workload associated with the licensing of remote caller being*
7 *vendors, and shall be available for encumbrance and expenditure*
8 *until June 30, 2014.*

9 *SEC. 21. This act is a bill providing for appropriations related*
10 *to the Budget Bill within the meaning of subdivision (e) of Section*
11 *12 of Article IV of the California Constitution, has been identified*
12 *as related to the budget in the Budget Bill, and shall take effect*
13 *immediately.*

14 ~~SECTION 1. It is the intent of the Legislature to enact statutory~~
15 ~~changes relating to the Budget Act of 2013.~~