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**AB-920 Jails: county inmate welfare funds.** (2015-2016)

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**Assembly Bill No. 920**

**CHAPTER 178**

An act to add Section 4025.5 to the Penal Code, relating to jails, and declaring the urgency thereof, to take effect immediately.

[ Approved by Governor August 25, 2016. Filed with Secretary of State August 25, 2016. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 920, Gipson. Jails: county inmate welfare funds.

Existing law authorizes the sheriff of each county to maintain an inmate welfare fund to be kept in the treasury of the county into which profit from a store operated in connection with the county jail, 10% of all gross sales of inmate hobbycraft, and any rebates or commissions received from a telephone company, as specified, are required to be deposited. Existing law authorizes the sheriff to expend money from the fund to assist indigent inmates, prior to release, with clothes and transportation expenses, as specified. Existing law authorizes inmate welfare funds to be used to augment county expenses determined by the sheriff to be in the best interests of the inmates, and requires the sheriff to submit an itemized report of those expenditures annually to the board of supervisors.

This bill would create a program that authorizes the sheriff or county officer responsible for operating jails of certain counties to spend money from the inmate welfare fund for the purpose of assisting indigent inmates with the reentry process within 30 days after the inmate's release from the county jail or other adult detention facility. The bill would specify that the assistance provided may include work placement, counseling, obtaining proper identification, education, and housing. The bill would specify that money from the inmate welfare fund shall not be used under the program to provide services that are required to be provided by the sheriff or county, as specified. The bill would require, if a county elects to participate in the pilot program, a county sheriff or county officer responsible for operating a jail to include specified additional information in the itemized report of expenditures to the board of supervisors, including the number of inmates the program served.

This bill would make legislative findings and declarations as to the necessity of a special statute for the counties described above.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: no Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 4025.5 is added to the Penal Code, to read:

**4025.5.** (a) There is hereby created a program in the Counties of Alameda, Kern, Los Angeles, Marin, Napa, Orange, Sacramento, San Bernardino, San Francisco, San Diego, San Luis Obispo, Santa Barbara, Santa Clara, Stanislaus, and Ventura.

In each county, the sheriff or the county officer responsible for operating the jails may expend money from the inmate welfare fund to provide indigent inmates, after release from the county jail or any other adult detention facility under the jurisdiction of the sheriff or the county officer responsible for operating the jails, assistance with the reentry process within 30 days after the inmate's release. The assistance provided may include work placement, counseling, obtaining proper identification, education, and housing.

(b) This section does not authorize money from the inmate welfare fund to be used to provide any services that are required to be provided by the sheriff or the county. Money in the fund shall supplement existing services, and shall not be used to supplant any existing funding for services provided by the sheriff or the county.

(c) As part of the itemized report of expenditures required to be submitted to the board of supervisors pursuant to Section 4025, any sheriff or county officer responsible for operating a jail of a county that participates in the program shall include in the report all of the following:

(1) How much money was spent pursuant to this section.

(2) The number of inmates the program served.

(3) The types of assistance for which the funds were used.

(4) The average length of time an inmate used the program.

**SEC. 2.** The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances in the Counties of Alameda, Kern, Los Angeles, Marin, Napa, Orange, Sacramento, San Bernardino, San Francisco, San Diego, San Luis Obispo, Santa Barbara, Santa Clara, Stanislaus, and Ventura.

**SEC. 3.** This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to grant local officials responsible for operating jails in the Counties of Alameda, Kern, Los Angeles, Marin, Napa, Orange, Sacramento, San Bernardino, San Francisco, San Diego, San Luis Obispo, Santa Barbara, Santa Clara, Stanislaus, and Ventura authority to better assist indigent inmates with the reentry process at the earliest possible time, it is necessary for this act to take effect immediately.