



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

AB-1994 Sex offenders: county or local custodial facilities. (2017-2018)

SHARE THIS:  

Date Published: 09/27/2018 09:00 PM

Assembly Bill No. 1994

CHAPTER 811

An act to amend Section 290.013 of the Penal Code, relating to sex offenders.

[Approved by Governor September 27, 2018. Filed with Secretary of State September 27, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1994, Cervantes. Sex offenders: county or local custodial facilities.

Existing law requires specified sex offenders to register with local law enforcement within five working days of coming into, or changing his or her residence within, a city, county, or city and county. If the person's new address is in a Department of Corrections and Rehabilitation facility or state mental institution, existing law requires an official of the institution to forward the registrant's change of address information to the Department of Justice within 90 days.

This bill would instead require the change of address to be forwarded within 15 working days of both receipt and release of the person. The bill would also require an official with a county or local custodial facility that receives or releases a sex offender registrant to forward his or her change of address information to the Department of Justice. By imposing duties on local officials, this bill would impose a state-mandated local program.

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 the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

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

SECTION 1. Section 290.013 of the Penal Code is amended to read:

290.013. (a) A person who was last registered at a residence address pursuant to the Act who changes his or her residence address, whether within the jurisdiction in which he or she is currently registered or to a new jurisdiction inside or outside the state, shall, in person, within five working days of the move, inform the law enforcement agency or agencies with which he or she last registered of the move, the new address or transient location, if known, and any plans he or she has to return to California.

(b) If the person does not know the new residence address or location at the time of the move, the registrant shall, in person, within five working days of the move, inform the last registering agency or agencies that he or she is moving. The person shall

later notify the last registering agency or agencies, in writing, sent by certified or registered mail, of the new address or location within five working days of moving into the new residence address or location, whether temporary or permanent.

(c) The law enforcement agency or agencies shall, within three working days after receipt of this information, forward a copy of the change of address information to the Department of Justice. The Department of Justice shall forward appropriate registration data to the law enforcement agency or agencies having local jurisdiction of the new place of residence.

(d) If the person is being admitted to or released from a Department of Corrections and Rehabilitation facility, a county or local custodial facility, or state mental institution, an official of the place of incarceration, placement, or commitment shall, within 15 working days of both receipt and release of the person, forward the registrant's change of address information to the Department of Justice in a manner prescribed by the department. If the person is being admitted to the facility, the agency need not provide a physical address for the registrant but shall indicate that he or she is serving a period of incarceration or commitment in a facility under the agency's jurisdiction. This subdivision shall apply to persons received in a department facility, county or local custodial facility, or state mental institution on or after January 1, 1999. The Department of Justice shall forward the change of address information to the agency with which the person last registered.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.