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**AB-353 Incarcerated persons: access to showers.** (2023-2024)

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**Assembly Bill No. 353**

**CHAPTER 429**

An act to add Section 2084.3 to the Penal Code, relating to corrections.

[ Approved by Governor October 08, 2023. Filed with Secretary of State October 08, 2023. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 353, Jones-Sawyer. Incarcerated persons: access to showers.

Existing law authorizes the Secretary of the Department of Corrections and Rehabilitation to prescribe and amend rules and regulations for the administration of prisons. Existing law requires each incarcerated person to be provided with a bed, garments, and sufficient plain and wholesome food, as specified.

This bill would require incarcerated persons to be permitted to shower at least every other day. The bill would require, whenever a request for a shower is denied, the facility manager, or their designee, to approve the decision to prohibit an incarcerated person from showering, and would require the reasons for prohibiting the incarcerated person to shower to be documented. The bill would require staff to provide written or electronic notice to incarcerated persons in the affected housing unit if the showers are temporarily unavailable or limited in frequency. The notice shall include the reason the showers are unavailable or limited and shall be conspicuously posted in the affected housing unit.

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

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

**SECTION 1.** Section 2084.3 is added to the Penal Code, to read:

**2084.3.** (a) Incarcerated persons shall be permitted to shower at least every other day, unless access to a shower is prohibited as provided in subdivision (b).

(b) (1) Whenever a request for a shower pursuant to subdivision (a), or a request for a shower at any other time, is denied, the decision to prohibit showering shall be approved by the facility manager or their designee, and the reason or reasons for prohibiting an incarcerated person to shower shall be documented.

(2) Notwithstanding paragraph (1), if showers are temporarily unavailable or otherwise limited in frequency, staff shall provide written or electronic notification that includes the reason showers are unavailable or limited. The notice shall be made available to any incarcerated person in the affected housing unit and shall be conspicuously posted in the affected housing unit.