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AB-1424 Corrections. (2025-2026)

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AMENDED IN ASSEMBLY MARCH 24, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 1424

Introduced by Assembly Member Celeste Rodriguez

February 21, 2025

An act to ~~amend Section 1695.2 of the Civil Code, relating to contracts.~~ *add Section 6720.1 to the Labor Code, and to add Chapter 19 (commencing with Section 7470) to Title 7 of Part 3 of the Penal Code, relating to corrections.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1424, as amended, Celeste Rodriguez. ~~Home equity sales contracts.~~ *Corrections.*

Under existing law, the California Occupational Safety and Health Act of 1973, the Division of Occupational Safety and Health investigates complaints that a workplace is not safe and may issue orders necessary to ensure employee safety. Under existing law, certain violations of those provisions or a standard, order, or special order authorized by those provisions are a crime.

Existing law establishes the Department of Corrections and Rehabilitation and sets forth its powers and duties regarding the administration of correctional facilities and the care and custody of inmates. Existing law establishes the Office of Emergency Services within the office of the Governor and requires the office to be responsible for the state's emergency and disaster response services for natural, technological, or manmade disasters and emergencies.

This bill would require the division, by December 1, 2026, to submit a rulemaking proposal for the Occupational Safety and Health Standards Board's review and adoption, specifically applicable to workers in any prison or institution under the jurisdiction of the Department of Corrections and Rehabilitation, as specified.

This bill would require the Department of Corrections and Rehabilitation to comply with these provisions and any order, rule, or regulation adopted by the Occupational Safety and Health Standards Board pursuant to them. Because this bill would expand the definition of an existing crime, this bill would impose a state-mandated local program.

This bill would require the Department of Corrections and Rehabilitation to take various actions relating to climate control and working conditions in prisons, including, among other things, ensuring that facilities are equipped with adequate cooling systems, adding shade structures, ensuring that facilities install temperature monitoring systems, as specified, and establishing and regularly updating an emergency response and evacuation plan for each correctional facility to protect the safety of incarcerated

individuals during extreme weather events. The bill would require the department to implement an annual training for all staff on preventing, identifying, and managing heat-related illnesses. The bill would require the department to create a working group, as specified, to ensure regular maintenance, upkeep, accessibility of use, and implementation of these actions related to climate control and working conditions. The bill would require the department, on January 1, 2027, and each January 1 thereafter, to submit a report to the Governor, the Legislature, and the Office of Emergency Services, detailing the progress in implementation of these measures.

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 no reimbursement is required by this act for a specified reason.

~~Existing law regulates the terms and conditions of home equity sales contracts, and requires those contracts to meet specified requirements, including, among other things, that the contract be written in the same language principally used by the equity purchaser and equity seller to negotiate the sale of the residence in foreclosure.~~

~~This bill would make a nonsubstantive change to the provision specifying the contract requirements.~~

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

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

SECTION 1. *The Legislature finds and declares all of the following:*

(a) *Climate change has led to increased extreme weather events, including excessive heat, cold snaps, wildfires, floods, and poor air quality, all of which disproportionately affect vulnerable populations, including incarcerated individuals.*

(b) *Incarcerated individuals are often confined in facilities with outdated infrastructure and limited access to adequate ventilation, cooling, heating, or clean air, which can exacerbate the impacts of extreme weather.*

(c) *Incarcerated people in California are amongst the most vulnerable to heat-related illnesses, injuries, and death.*

(d) *Incarcerated people have few options to reduce the impact of hazardous heat, and these marginalized communities are often disproportionately susceptible to the effect of heat exposure, given preexisting health conditions.*

(e) *Structural racism manifests in persistently higher proportions and rates of incarcerated people being people of color.*

(f) *It is the responsibility of the State of California, through the Department of Corrections and Rehabilitation (CDCR), to ensure the health, safety, and humane treatment of incarcerated individuals while in custody, especially as climate change escalates the frequency of inclement and dangerous weather.*

(g) *Incarcerated workers are protected by health and safety rights under Title 8 of the California Code of Regulations. The Division of Occupational Safety and Health can and has cited state prisons for occupational safety and health standards violations.*

(h) *Incarcerated workers may file complaints to the division if their health and safety rights are violated. This process is governed by Article 9 (commencing with Section 344.40) of Chapter 3.2 of Division 1 of Title 8 of the California Code of Regulations.*

(i) *The National Employment Law Project 2022 report, Workers Doing Time Must Be Protected by Safety Laws, found that incarcerated workers face numerous hazards, including heat-related illnesses. It is unacceptable that California is effectively excluding one of the most vulnerable populations from basic worker protections.*

(j) *The purpose of this act is to require CDCR to implement safety protocols and infrastructure improvements to protect the health and well-being of incarcerated individuals from the effects of extreme weather events related to climate change.*

SEC. 2. *Section 6720.1 is added to the Labor Code, to read:*

6720.1. (a) *By December 1, 2026, the division shall submit a rulemaking proposal to the standards board for the board's review and adoption, specifically applicable to workers in any prison or institution under the jurisdiction of the Department of Corrections and Rehabilitation.*

(b) *In preparing the proposed regulations, the division shall consider all of the following:*

(1) *The standards proposed and adopted pursuant to subdivision (a) shall be consistent with the requirements described in Chapter 19 (commencing with Section 7470) of Title 7 of Part 3 of the Penal Code and, as appropriate, may draw from, or build upon, the heat illness prevention standards set forth in Sections 3395 and 3396 of Title 8 of the California Code of Regulations.*

(2) Maximum and minimum indoor temperatures.

(3) Installation of heating, ventilation, and air conditioning infrastructure.

(4) Protocols for the division to monitor indoor temperatures, inspect facilities, investigate heat-related incidents, and assess compliance with required standards.

(5) Emergency response protocols for immediate action during extreme weather events, including hazard assessments, evacuation, and strategies to protect workers from exposure to harsh conditions.

(6) Investigation and documentation of heat-related illness incidents among workers.

(7) Staff training and resources.

(8) Appropriate and necessary worker hydration requirements.

(9) Protocols for medical intervention.

(10) Annual reporting of heat-related illness incidents to the division.

(11) Protocols for the division to make recommendations for corrective actions to improve the safety of working conditions and work areas.

(c) The division shall consider requiring the Department of Corrections and Rehabilitation to keep heat incident log records for every heat-related incident where the information in the log shall include all of the following:

(1) The date, time, and location of the incident.

(2) A description of the heat illness or injury.

(3) A detailed description of the incident.

(d) The division shall consider requiring that the Department of Corrections and Rehabilitation maintain comprehensive records of indoor climate condition monitoring, hydration provisions, and health assessments for incarcerated workers, making these records available for review during inspections by the division.

(e) The division shall consider requiring that the Department of Corrections and Rehabilitation submit an annual report summarizing incidents of heat-related illnesses, cold exposure incidents, hydration efforts, and health monitoring practices to the division for evaluation and compliance verification.

(f) The Department of Corrections and Rehabilitation shall comply with this section and any order, rule, or regulation adopted by the Occupational Safety and Health Standards Board pursuant to this section.

(g) For the purposes of this section, the following terms have the following meanings:

(1) "Heat illness" means a serious medical condition resulting from the body's inability to cope with a particular heat load. It includes heat cramps, heat exhaustion, heat syncope, and heat stroke.

(2) "Indoor" means a space under a ceiling or overhead covering that restricts airflow and is enclosed along its entire perimeter by walls, doors, windows, dividers, or other barriers that restrict airflow, whether open or closed. All work areas that are not indoor are considered outdoor.

SEC. 3. Chapter 19 (commencing with Section 7470) is added to Title 7 of Part 3 of the Penal Code, to read:

CHAPTER 19. Climate Justice in Prisons Emergency Response Act

7470. For the purposes of this chapter, the following terms have the following meanings:

(a) "Climate resilience measures" means policies, procedures, and infrastructure upgrades that aim to reduce the adverse effects of climate change-related extreme weather on incarcerated individuals.

(b) "Excessive weather" means weather conditions such as, but not limited to, extreme heat, extreme cold, wildfire smoke, flooding, or other weather-related events exacerbated by climate change.

(c) "Incarcerated individual" means any person confined in a state prison or other facility under the jurisdiction of the Department of Corrections and Rehabilitation.

7471. (a) The Department of Corrections and Rehabilitation shall do all of the following:

(1) Ensure that all living quarters, work areas, and recreational spaces at correctional facilities are equipped with adequate cooling systems, including, but not limited to, air conditioning and proper ventilation.

(2) Consider issuing appropriate clothing during summer months, including issuing shorts as part of a standard uniform.

(3) Install temperature monitoring systems, prioritizing sensors that continuously measure and transmit data in all living quarters, work areas, and recreational spaces.

(4) Add shade structures to every yard at each facility, prison, or institution under the jurisdiction of the department.

(5) Allow incarcerated individuals increased access to showers and increased access to personal fans. Fans shall not count towards an incarcerated person's appliance limit and multiple fans shall be allowed for each individual during extreme heat or wildfire events.

(6) (A) (i) Establish a working group consisting of at least two representatives of community-based organizations who work with currently or formerly incarcerated individuals, a representative from the Office of the Inspector General, a representative from the Division of Occupational Safety and Health, a representative of an incarcerated person advisory council, and the Secretary of the Department of Corrections and Rehabilitation to ensure regular maintenance, upkeep, accessibility of use, and implementation of this chapter.

(ii) The department shall, on January 1, 2027, and each year thereafter, submit an annual report to the Governor, the Legislature, and the Office of Emergency Services, detailing the progress in implementing climate resilience measures, the effectiveness of those measures and evacuation plans in response to extreme weather events, the number of climate hazards experienced at each facility under the jurisdiction of the department, and any additional resources required to protect incarcerated individuals from excessive weather. A report to be submitted pursuant to this paragraph shall be submitted in compliance with Section 9795 of the Government Code.

(b) The department shall ensure that all correctional facilities update heating, ventilation, and air conditioning systems, and issue appropriate accommodations for colder climates.

(c) The department shall implement protocols to monitor air quality during wildfire events and other air quality emergencies. Facilities shall have transparent air filtration systems to provide clean air to incarcerated individuals during poor air quality events.

(d) The department shall develop and implement a comprehensive flood and storm preparedness plan for all facilities, particularly those in flood-prone areas. This plan shall include provisions for evacuation, emergency shelter, and access to clean water.

(e) The department shall establish and regularly update, at least every five years, an emergency response and evacuation plan for each correctional facility to protect the safety of incarcerated individuals during extreme weather events. The evacuation plan shall include procedures for the safe and timely evacuation of incarcerated individuals in the event of natural disasters, including, but not limited to, wildfires, floods, and severe storms.

(f) (1) Medical staff shall conduct regular health assessments to identify individuals at greater risk for heat-related illnesses, including, but not limited to, the elderly or those with preexisting health conditions, and those on heat medications.

(2) Medical staff shall monitor symptoms of heat-related illnesses among incarcerated individuals and provide prompt medical attention as necessary.

(3) Medical staff shall establish a protocol for documenting any heat-related illness, including the affected individual's symptoms and treatment received.

(g) (1) The department shall develop and implement annual training for all staff on preventing, identifying, and managing heat-related illnesses.

(2) This training shall include, but not be limited to, all of the following:

(A) Recognizing the signs and symptoms of heat-related illness.

(B) Protocols for responding to heat-related emergencies.

(C) Best practices for maintaining safe conditions during extreme heat.

(D) Reporting procedures.

(h) Incarcerated individuals or their legal representatives may file a grievance with the Office of the Inspector General regarding unsafe conditions related to extreme weather events or noncompliance with the evacuation plan requirements.

7472. The Department of Corrections and Rehabilitation shall establish a monitoring system for the purposes of this chapter.

SEC. 4. *No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.*

~~SECTION 1. Section 1695.2 of the Civil Code is amended to read:~~

~~1695.2. Every contract shall be written in letters of a size equal to 10-point bold type, in the same language principally used by the equity purchaser and equity seller to negotiate the sale of the residence in foreclosure, and shall be fully completed and signed and dated by the equity seller and equity purchaser prior to the execution of any instrument of conveyance of the residence in foreclosure.~~