



BILL LOCKYER
Attorney General



State of California
DEPARTMENT OF JUSTICE

Attorney General's Sponsored Legislation 1999 Through 2006

This report highlights the sponsored legislation of Attorney General Bill Lockyer from 1999 through 2006.

As the chief law officer of the state, the Attorney General assists in the development of the law. Though much of this work occurs in the courts, the Attorney General also has a significant role in shaping the law through the legislative process. The Office of Legislative Affairs represents the Attorney General and the Department of Justice at the Legislature and as the legislative liaisons to the Governor's Office, other constitutional offices, state agencies and departments, the courts, local agencies, and private entities and individuals.

Under Attorney General Lockyer, the Attorney General's Office and the Department of Justice have established a well-recognized and highly-respected presence at the Legislature. The Office of Legislative Affairs has been responsible for developing and advocating hundreds of Attorney General-sponsored bills, and actively working on many hundreds of non-sponsored bills each year, often at the request of legislators or legislative committees, who value our expertise.

Major accomplishments of the Office of Legislative Affairs include: working to reduce the incidence of child abuse, hate crimes, domestic violence, elder abuse and civil rights abuses; placing Megan's Law on the Internet and enacting comprehensive sex offender reform measures; updating and developing new criminal justice information systems; expanding the reach of the DNA laws; establishing new consumer and environmental protections laws; assuring tobacco settlement compliance; strengthening gun safety laws; and enacting tougher regulation of gambling.

Attorney General Bill Lockyer's Sponsored Legislation

1999 through 2006

<u>Subject</u>	<u>Page</u>
Antitrust	2
Attorney General.....	3
Capital Crimes	5
Charitable Trusts	6
Child Abuse	7
Civil Law – Miscellaneous	9
Civil Procedure	11
Civil Rights	12
Claims Against the State.....	14
Consumer Protection.....	16
Controlled Substances.....	21
Crime Prevention	25
Criminal History	28
Criminal Law – Miscellaneous	31
Criminal Procedure	33
DNA	35
Domestic Violence.....	37
Elder Abuse.....	39
Employment	41
Environment	42
Firearms	43
Forensic Services	50
Gambling	51
Gasoline Pricing	52
Government Integrity.....	53
Hate Crimes.....	54
Identity Theft.....	56
Law Enforcement – Miscellaneous.....	57
Medi-Cal Fraud	59
Missing Persons	61
Sex Offenders.....	63
Tobacco.....	69
Victims	71

ANTITRUST

AB 1345 (Nakano)

Vetoed, 1999

This bill would have increased, from \$3 million to \$6 million, the cap on the reserve account in the General Fund for use by the Attorney General in enforcing antitrust laws, which comes from attorney fees and cost awards in antitrust cases. It also would have provided that funds could be appropriated from the account through non-budget act legislation, not just through the annual budget act. The bill would not have appropriated any funds.

SB 1131 (Burton)

Chapter 956, Statutes of 1999; funding vetoed

This bill would have provided a legislative appropriation of \$1,000,000 from the General Fund to support three major investigations by the Antitrust Section within the Attorney General's Office: (1) gasoline pricing, (2) the Exxon/Mobil merger, and (3) the BP/ARCO merger. The funding would have supported investigation costs through June 2000, with additional funding provided by a budget change proposal for fiscal year 2000-01.

AB 260 (Frommer)

Chapter 74, Statutes of 2001

This bill authorized the Attorney General to issue interrogatories, in addition to subpoenas, when conducting investigations of possible violations of state or federal antitrust law. The bill also made state antitrust law consistent with federal antitrust laws by clarifying that the Attorney General may employ cy pres remedies in actions brought to represent consumers affected by antitrust violations.

SB 1814 (Dunn)

Failed, 2002

This bill would have clarified that anti-competitive conspiracies forbidden by the Cartwright Act can occur between entities related to each other by common ownership. It also would have made the act of monopolization a violation of California antitrust law.

ATTORNEY GENERAL

AB 427 (Scott)

Chapter 768, Statutes of 1999

This bill prohibited a state agency, officer or commissioner from employing legal counsel other than that of the Attorney General in any matter in which the agency, officer or commissioner is interested or is a party as a result of office or official duties.

AB 715 (Firebaugh)

Chapter 626, Statutes of 2000

This bill repealed a provision requiring the Attorney General to prosecute and defend actions in which any county is a party, and it clarified the Attorney General's ability to employ counsel to represent a state agency or a state employee if the representation meets specified standards, and to employ counsel to recover escheated funds.

California Rules of Court, Rule 13(b)(6)

Adopted June 1, 2000

In lieu of a legislative change, the Judicial Council adopted the Attorney General's proposed rule allowing the Attorney General to file an amicus curiae (friend of the court) brief in any pending appeal without permission from the court.

AB 222 (Wiggins)

Chapter 69, Statutes of 2001

This bill required the petitioner of an appeal that involves the interpretation of the False Claims Act to provide the False Claims Section of the Attorney General's Office with notice of the appeal.

SB 99 (Morrow)

Chapter 76, Statutes of 2001

This bill added any Member of the Legislature, the Lieutenant Governor, the Insurance Commissioner, and any county counsel or sheriff to the list of public officers who may seek a written legal opinion from the Attorney General.

ATTORNEY GENERAL (continued)

SB 434 (Escutia)

Chapter 876, Statutes of 2003

This bill authorized the Attorney General to bring an action or conduct an investigation when it appears any person has violated or is about to violate the Corporate Securities and California Commodity laws. It also permits, upon the request of a prosecuting attorney or the Attorney General, any governmental entity of this state, any other state, or the United States to assist in conducting an investigation of unlawful activity.

SB 1489 (Ducheny)

Vetoed, 2006

This bill would have re-enacted section 1021.8 of the Code of Civil Procedure, to remove any question about whether the bill that enacted that statute violated the single-subject rule. Section 1021.8 provides that when the Attorney General prevails in a civil action to enforce specified types of actions, the court is required to award the Attorney General all costs of investigating and prosecuting the action. The bill also would have clarified this section's application to specified actions and provided that it does not authorize recovery of fees and costs from a county or city.

CAPITAL CRIMES

SB 686 (Dunn)

Failed, 1999

This bill would have authorized the Governor to extend a warrant of execution by executive order at any time before the expiration of the warrant upon the request of the district attorney of the county of conviction, the Attorney General, or the Warden of the California State Prison at San Quentin. It would have allowed the Governor to extend the 24-hour warrant period in situations where a temporary restraining order or other stay had been issued and could be quickly vacated, but not before the warrant period expired, as a consequence of which the execution would have to be delayed at least 40 days.

SB 51 (Morrow)

Failed, 2004

This bill would have defined the term "mentally retarded" and required a defendant who believed that he or she was mentally retarded, in any case in which the prosecution has provided notice of an intent to seek the death penalty, to apply for a special finding of mental retardation at least 45 days prior to the commencement of trial. The bill also would have required that the application for a special finding present evidence that good reason existed to believe that the defendant was mentally retarded.

CHARITABLE TRUSTS

SB 2015 (Sher)

Chapter 475, Statutes of 2000

This bill amended the Uniform Supervision of Trustees and Fundraisers for Charitable Purposes Act to grant the Attorney General additional enforcement tools and resources, including the ability to assess late fees; the authority to suspend or revoke registrations; the power to enter into pre-filing agreements; the ability to impose civil penalties for violations of the Act; and the appropriation of all fines, penalties, attorney fees and costs to the Attorney General for the administration and enforcement of the Act.

AB 2519 (Keeley)

Chapter 112, Statutes of 2002

This bill clarified the process for dissolving nonprofit public benefit corporations (i.e., charities) to ensure that the corporation's plan for distributing its assets is reviewed by the Attorney General prior to the dissolution.

SB 1262 (Sher)

Chapter 919, Statutes of 2004

This bill enacted the Charity Integrity Act of 2004. It required audits for non-profit entities with gross revenue over \$2 million, set mandatory contract terms for charitable fundraisers, required that donors be told the percentage of their contribution that actually will be received by the charity, and explicitly prohibited deceptive or misleading practices.

CHILD ABUSE

AB 1447 (Granlund)

Failed, 1999

This bill would have made technical changes to, and clarified provisions in, the Child Abuse and Neglect Reporting Act, particularly as they related to the Child Abuse Central Index maintained by the Department of Justice.

SB 1715 (Ortiz)

Chapter 207, Statutes of 2000

This bill extended the sunset from 2001 until 2003 on the law that authorizes a child under the age of 13 who was the victim of a sexual offense or a violent felony to testify in a criminal case by way of closed-circuit television under specified circumstances and procedures.

AB 2442 (Keeley)

Chapter 1064, Statutes of 2002

This bill required the Department of Justice to create a task force for the purpose of reviewing the Child Abuse and Neglect Reporting Act, which requires specified persons to report to law enforcement or a child protective agency known or suspected instances of child abuse or neglect, and the Child Abuse Central Index, which is the repository of reports of child abuse and severe neglect that, following an investigation, are determined not to be unfounded.

SB 1559 (Figueroa)

Chapter 96, Statutes of 2002

This bill extended indefinitely the statute authorizing a child under the age of 13 who was the victim of a sexual offense or a violent felony to testify in a criminal case by way of closed-circuit television under specified circumstances and procedures.

AB 1667 (Kehoe)

Chapter 368, Statutes of 2004

This bill made technical and clarifying changes to the statute of limitation in sexual abuse cases. Cosponsored with the California District Attorneys Association.

CHILD ABUSE (continued)

SB 1313 (Kuehl)

Chapter 842, Statutes of 2004

This bill implemented 14 recommendations from the Child Abuse and Neglect Reporting Law Task Force established pursuant to Penal Code section 11174.4 (added by Chapter 1064, Statutes of 2002).

SB 1678 (Dunn)

Chapter 741, Statutes of 2004

This bill gave a victim of child sexual abuse whose criminal case was dismissed or overturned pursuant to *Stogner v. California* (2003) 539 U.S. 637, until 2006 to file a civil claim against the perpetrator. (*Stogner* invalidated a California law that permitted the criminal prosecution of old cases of child sexual abuse.)

AB 1188 (Wolk)

Chapter 163, Statutes of 2005

This bill made consistent the penalties for failing to make a mandated report of child abuse, domestic violence, or elder or dependent adult abuse.

SB 111 (Alquist)

Chapter 479, Statutes of 2005

This bill extended the statute of limitations for prosecuting criminal cases of child sexual abuse cases from 10 years from the date of the crime until the victim's 28th birthday. Cosponsored with the California District Attorneys Association.

AB 2304 (Runner)

Failed, 2006

This bill would have added commercial computer technicians to the list of persons mandated to report known or suspected child abuse to law enforcement or a child protection agency. Cosponsored with the California State Sheriffs' Association and the San Bernardino County Sheriff's Office.

CIVIL LAW – MISCELLANEOUS

AB 2300 (Florez)

Chapter 723, Statutes of 2000

This bill required new procedures to be followed by joint powers authorities (JPAs) in issuing bonds pursuant to the Marks-Roos Local Bond Pooling Act of 1985. It closed loopholes in the sale of land-based municipal securities issued by roving JPAs, provided enforcement measures to directly address violations of the rules governing JPAs and their issuance of bonds, and required a geographic nexus for bond issuance except under specified circumstances. Cosponsored with the State Treasurer.

AB 192 (Canciamilla)

Chapter 243, Statutes of 2001

This bill made various changes to conform the state Open Meeting Act law more closely to the Ralph M. Brown Act, which governs open meetings of local agencies, including adding a definition of "meeting," permitting a meeting of a state body to be conducted via teleconference under the same circumstances that such a meeting may be conducted under the Brown Act, requiring agendas be posted at each teleconference location, and requiring members of the public be permitted to address the state body directly at each such location. The bill also clarified that even if pending litigation was not noticed in the agenda of a closed meeting, that litigation may thereafter be added to the agenda of the closed meeting and action taken thereon, if certain requirements are satisfied.

AB 1862 (Wyman)

Failed, 2002

This bill would have authorized a 100% tax credit, capped at an undefined amount, for benefits paid to a qualified employee called to active military duty or service. It would have defined a qualified employee as one who is a member of the California National Guard or a United States military reserve organization and is ordered to active duty on or after September 11, 2001, as a result of Operation Enduring Freedom or any successor military action, including homeland defense.

CIVIL LAW – MISCELLANEOUS (continued)

SB 109 (Torlakson)

Chapter 318, Statutes of 2003

This bill made changes to procedures for enforcing redevelopment agencies' reporting requirements, characterized a major violation of redevelopment law by a redevelopment agency as a major audit violation, required the Controller to send relevant documents and affidavits to the Attorney General with a list of agencies that have uncorrected violations, required those agencies to respond to any action within 15 days of service, and imposed graduated civil penalties on a redevelopment agency for failing to correct a major audit violation.

SB 839 (Dunn)

Failed, 2004

This bill would have revised provisions of the State Contract Act to prohibit a person, firm, or subsidiary thereof that has been awarded a consulting services contract from having a financial interest in the provision of services, the procurement of goods or supplies, or any other related action that is required, suggested, or otherwise deemed appropriate in the end product of the consulting services contract. The bill also would have imposed requirements on government consulting contractors.

AB 2945 (Spitzer)

Provisions Implemented by Administrative Procedure, 2006

This bill would have made state managers, supervisors, or confidential employees in a forensic program, as specified, state safety members of the California Public Employees' Retirement System (PERS) rather than state miscellaneous members.

CIVIL PROCEDURE

AB 36 (Steinberg)

Failed, 2001

This bill would have prohibited secrecy agreements between parties to litigation that prevent disclosure to the public or to public safety agencies of information relating to defective products, financial fraud, unfair insurance claims practices, or environmental hazards. It also would have specifically made agreements that keep such information secret from interested regulatory agencies void and unenforceable.

AB 732 (Wayne)

Chapter 153, Statutes of 2001

This bill clarified that public enforcement actions brought by the Attorney General, a district attorney or city attorney, are exempt from monetary sanctions arising under Code of Civil Procedure section 998 settlement offers.

SB 11 (Escutia)

Failed, 2002

This bill would have prohibited secrecy agreements between parties to litigation that prevent disclosure to the public or to public safety agencies information relating to defective products, financial fraud, unfair insurance claims practices, or environmental hazards. It also would have specifically made agreements that keep such information secret from interested regulatory agencies void and unenforceable. Cosponsored with Consumer Attorneys of California.

SB 832 (Perata)

Vetoed, 2006

This bill would have extended the sunset of Civil Code 3294.5, which provides a distribution formula for punitive damages.

CIVIL RIGHTS

AB 1670 (Committee on Judiciary)

Chapter 591, Statutes of 1999

This bill, which enacted the California Civil Rights Amendments of 1999, extends the protection of California Civil Rights Act laws to reach violations of another's civil rights when the violator perceives the victim to be a member of a protected class; prohibited discrimination based on one's association with members of a protected class; clarified that existing law prohibits harassment in connection with housing discrimination; prohibited genetic testing as a condition of employment; required reasonable accommodations to a female employee during pregnancy; increased the amount of non-pecuniary damages that may be awarded by the Commission on Fair Employment and Housing in employment discrimination cases; extended the protections of the Fair Employment and Housing Act (FEHA) to independent contractors; authorized an action to enjoin discrimination by state-funded programs and agencies; prohibited a "refusal to contract" on the basis of existing protected class characteristics; and authorized a court to require employers to provide training on FEHA requirements. Cosponsored with the California Fair Employment and Housing Commission, American Civil Liberties Union, California Labor Federation, AFL-CIO, and California Civil Rights Coalition.

AB 2719 (Wesson)

Chapter 98, Statutes of 2000

This bill allowed the Attorney General, a district attorney or a city attorney to recover a \$25,000 civil penalty in successful enforcement actions under the Ralph Act (Civil Code section 51.7), which forbids violence or intimidation motivated by the victim's race, religion, or membership in other protected classes. In addition, the bill declared that a person suing under the Bane Civil Rights Act (Civil Code section 52.1) for a violation of the person's constitutional rights, need not prove that he or she is a member of a protected class.

AB 587 (Firebaugh)

Chapter 261, Statutes of 2001

This bill allowed the Attorney General, district attorney or city attorney prosecuting enforcement actions under the Bane Civil Rights Act to seek a civil penalty of \$25,000 against each violator, to be awarded to the person whose rights were violated, in addition to injunctive and equitable relief. The bill also increased from \$1,000 to \$4,000 the minimum penalty for a violation of another's civil rights to be free from discrimination under the Unruh Civil Rights Act and the Gender Tax Repeal Act.

CIVIL RIGHTS (continued)

AB 698 (Wesson)

Vetoed, 2001

This bill would have statutorily created an Office of Immigrant Assistance within the Department of Justice to disseminate information and provide other assistance specifically to resident immigrants concerning their rights protected under state laws that provide protection for consumers, redress for victims of employment or housing discrimination, and redress for victims of civil rights violations.

AB 1999 (Correa)

Chapter 705, Statutes of 2002

This bill authorized the Attorney General or a local prosecutor to seek civil penalties of up to \$100,000 for each violation of the Immigration Consultants Act (ICA); mandated the court to impose civil penalties for each violation of the ICA; and directed the distribution of civil penalties collected for an action brought by public officials. The bill also expressly authorized public officials to bring a civil action for injunctive relief and restitution for violations of the ICA.

AB 2524 (Goldberg)

Chapter 244, Statutes of 2002

This bill required any party to an appeal in state court alleging violations of specified civil rights statutes to serve a copy of the party's petition and brief or responsive brief on the State Attorney General so the Attorney General may participate as an intervener or amicus curiae.

SB 262 (Kuehl)

Chapter 872, Statutes of 2003

This bill authorized a county counsel to bring an action to enjoin a violation of prescribed requirements relating to access to buildings by handicapped persons. The bill also authorized a district attorney, a city attorney, the Attorney General, or a county counsel to bring a civil action to impose civil penalties on persons who violate prescribed statutes or regulations relating to access to buildings by handicapped persons.

CLAIMS AGAINST THE STATE

SB 465 (Appropriations Committee)

Chapter 933, Statutes of 1999

This bill appropriated \$1,787,000 from the General Fund to the Attorney General to pay claims against the state in specified cases.

SB 464 (Appropriations Committee)

Chapter 28, Statutes of 2000

This bill appropriated \$18.5 million plus interest from the General Fund to the Attorney General to pay claims against the state in specified cases.

SB 1437 (Johnston)

Chapter 166, Statutes of 2000

This bill appropriated \$3,545,000 from the General Fund and the Motor Vehicle Account in the State Transportation Fund to the Attorney General to pay claims against the state in specified cases.

AB 1738 (Budget Committee)

Chapter 258, Statutes of 2001

This bill appropriated \$9.2 million from the General Fund to the Attorney General to pay claims against the state in specified cases.

SB 1333 (Alpert)

Chapter 583, Statutes of 2002

This bill appropriated \$1,360,702.74 from the General Fund to the Attorney General to pay claims against the state in specified cases.

SB 1334 (Alpert)

Withdrawn, 2002

This bill would have appropriated \$1,000,000 from the General Fund to the Attorney General to pay claims against the state in specified cases.

SB 98 (Alpert)

Chapter 12, Statutes of 2004

This bill appropriated \$8,609,276 from the General Fund and \$11,250,000 from other specified funds to pay claims against the state in specified cases. The bill also re-appropriated funds from an item in the Budget Act of 1999 to the Attorney General to pay a claim against the state in another case.

CLAIMS AGAINST THE STATE (continued)

SB 815 (Alpert)

Chapter 541, Statutes of 2004

This bill appropriated \$13,126,407 from the General Fund to pay claims against the state in specified cases.

SB 94 (Migden)

Chapter 11, Statutes of 2005

This bill appropriated \$45,000,000 from the General Fund to the Attorney General to pay claims against the state in specified cases.

AB 351 (Chu)

Chapter 124, Statutes of 2005

This bill appropriated \$2,400,000 from the General Fund to the Department of Education, \$220,000 from the Earthquake Safety and Public Buildings Rehabilitation Fund of 1990 to the Department of General Services, and \$14,067,219.89 from the General Fund to the Department of General Services to pay claims against the state in specified cases.

AB 1172 (Chu)

Chapter 497, Statutes of 2006

This bill appropriated \$950,000 from the General Fund to the Attorney General, and \$880,000 from the General Fund to the California Department of Veteran's Affairs to pay claims against the state in specified cases.

AB 1784 (Chu)

Chapter 163, Statutes of 2006

This bill appropriated \$6,551,700 from the General Fund to various state agencies to pay claims against the state in specified cases.

CONSUMER PROTECTION

AB 969 (Papan)

Chapter 319, Statutes of 1999

This bill incorporated selected provisions from the Federal Debt Collections Act into state law, thereby harmonizing federal and state debt collection standards and remedies.

AB 1231 (Machado)

Chapter 907, Statutes of 1999

This bill prohibited the misleading use of coupons, including the specific deceptive practice of describing coupons to be "free," a "gift," or a "prize" when they are not. The bill also prohibited a particular type of deceptive practice involving sellers who make most of their sales by offering phony discounts in the form of coupons described as "free" or as a "gift" or "prize."

AB 1290 (Davis)

Chapter 448, Statutes of 1999

This bill extended the period within which a new motor vehicle owner may assert that the vehicle is a "lemon" from 12 months or 12,000 to 18 months or 18,000 miles.

SB 988 (Figueroa)

Failed, 2000

This bill would have required the Attorney General to maintain a "do not call" list, containing the telephone numbers of telephone subscribers who do not wish to receive unwanted and uninvited telephone solicitations. It would have prohibited a telephonic solicitor from calling any telephone number on the current "do not call" list to, among other things, seek to sell or lease any consumer goods or services.

AB 1138 (Strom-Martin)

Failed, 2000

This bill would have prohibited engaging in the unauthorized practice of law in connection with any estate planning service, soliciting any member of the public to purchase any estate planning service from a person whose performance of the service would violate this legislation, and soliciting or selling any investment to anyone who was solicited to purchase or who purchased that estate planning service.

CONSUMER PROTECTION (continued)

AB 1816 (Wayne)

Chapter 185, Statutes of 2000

This bill prohibited the production, advertising, offering for sale, selling, distributing, or transferring for use in this state of any simulated check except for specified cases. It also revised the definition of a simulated check to include any document that is not in fact currency or a check or other negotiable instrument but that, because of its appearance, has the tendency to mislead a person viewing it into believing that the item represents a prize, gift or monetary benefit that the recipient has won or is entitled to or guaranteed to receive, or represents an actual check or item of value that can be claimed or redeemed.

AB 2725 (Wesson)

Vetoed, 2000

This bill would have regulated the advertising for, and the conduct of, "going out of business" sales by limiting the duration of a sale to 90 days from the date it is first advertised and requiring specified disclosures.

SB 1359 (Karnette)

Vetoed, 2000

This bill would have deleted exemptions under the Unfair Practices Act applicable to nonprofit charitable organizations and to persons selling intangibles or newspapers, thus requiring these organizations and individuals to make certain disclosures when soliciting in-home sales as currently required of all individuals who solicit sales at the residence of a prospective buyer. The bill also would have expanded disclosure requirements to all in-home solicitations for sales or orders rather than only in-home solicitations for sales or orders for goods or services, as currently required.

AB 268 (Wayne)

Chapter 624, Statutes of 2001

This bill made changes to the rules governing the sale of structured settlements by improving disclosures, adding new oversight procedures, clarifying definitions, and establishing a court review process.

CONSUMER PROTECTION (continued)

SB 1194 (Romero)

Chapter 304, Statutes of 2001

This bill authorized the court to award all of the following in a law enforcement action filed by public prosecutors in connection with the unauthorized practice of law: actual damages and equitable relief to victims; the amount of penalties and tax liabilities incurred in connection with the transfer of assets to pay for anything sold during the course of the unauthorized practice of law; attorney's fees incurred by victims to rectify legal errors; prejudgment interest; attorney's fees and costs incurred by the prosecutors in the action; and, where appropriate, exemplary damages. The bill also made it unlawful for any person to hold himself or herself out to be an immigration consultant unless he or she has a valid bond on file with the Secretary of State.

AB 2578 (Shelley)

Chapter 1097, Statutes of 2002

This bill would have provided that a contract for the purchase of a product or service that is made in response to a solicitation by mail, including electronic mail, and that is primarily for personal, family, or household use is unlawful if a person has not expressly provided, at the time of the purchase, authorization, and information sufficient for payment. Cosponsored with Consumers Union.

AB 2775 (Steinberg)

Failed, 2002

This bill would have provided that a contract for the purchase of consumer products or services made in response to a solicitation by telephone initiated by the person or entity soliciting the purchase is unlawful if the consumer has not expressly provided, at the time of the purchase, authorization and information sufficient for payment. Cosponsored with Consumers Union.

SB 1560 (Figueroa)

Chapter 698, Statutes of 2002 (Chaptered out by AB 3000)

This bill amended the "do not call" law enacted in 2001 to explicitly prohibit the sale or purchase of the "do not call" list and to clarify the type of entities that may obtain the "do not call" list for free.

CONSUMER PROTECTION (continued)

SB 33 (Figueroa)

Chapter 779, Statutes of 2003

This bill revised the "do not call" (DNC) law to coordinate with the recently adopted federal "do not call" law, so that the federal list became the "master list" and spared California the cost of managing its own separate DNC list. This bill also made it a crime to deny or interfere with a subscriber's right to place a California telephone number on the list.

SB 736 (Speier)

Chapter 196, Statutes of 2003

This bill deleted the sunset provision on the 1995 Seller of Travel Act, which governs sellers of travel and travel promoters. It also expanded the definition of "air carrier," expanded the disclosures a seller of travel is required to make, expanded the persons who are protected by the law, and lengthened the time within which a passenger may make a claim for reimbursement.

AB 2161 (Reyes)

Chapter 582, Statutes of 2004

This bill revised the structured settlement transfer law by, among other things, expanding disclosure obligations to include the total amount the seller would receive under the structured settlement contract if the seller did not transfer the contract, clarifying that the seller must receive required disclosures before the seller executes the transfer agreement, eliminating the 2005 sunset provision on court approval of transfer agreements, requiring that proposed purchasers of structured settlement contracts to advise the proposed seller of the right to obtain financial advice and the services of an accountant or actuary at the purchaser's expense, up to a specified amount.

AB 2723 (Laird)

Chapter 331, Statutes of 2004

This bill clarified that the remedies provided under the Consumer Warranty/Song-Beverly Act apply to goods that cannot be easily serviced or repaired or have become so attached to real property that removal for service or repair is impractical. It thus required a manufacturer of a consumer product under warranty to either replace and install the good, or reimburse the purchase and installation price, minus use, if the good cannot practicably be serviced or repaired because of its method of installation.

CONSUMER PROTECTION (continued)

AB 827 (Goldberg)

Chapter 815, Statutes of 2006

This bill required a private postsecondary institution (vocational school) to provide a notice that complies with federal law when it enters into a consumer credit contract with a student, and it made the willful failure to do so subject to criminal sanctions.

SB 1105 (Speier)

Chapter 446, Statutes of 2005

This bill allowed an insurer to exclude or limit travel insurance coverage based on a bona fide, substantiated statistical risk, and prohibited a life insurer from using past or future travel destinations to determine coverage.

AB 2220 (Vargas)

Chapter 763, Statutes of 2006

This bill imposed release requirements on any person having possession or control of used household goods or personal effects who knows, or through the exercise of reasonable care should know, that a household goods carrier transported those household goods or personal effects in violation of its permit or valid operating authority requirement. It also allowed a peace officer to take custody of the household goods or personal effects and release them to the consignor or consignee, if the household goods carrier is operating illegally and fails to release the items.

SB 263 (Speier)

Chapter 628, Statutes of 2006

This bill revised the definition of a seller of travel to include sellers of land or water transportation, revised regulatory requirements pertaining to disclosure and refund obligations of a seller of travel, and regulated registration renewal. The bill also prohibited a seller of travel from selling future transportation or other travel services at a discounted price or on a preferential basis and provided that violations are a felony offense.

CONTROLLED SUBSTANCES

AB 2106 (Davis)

Failed, 2000

This bill would have made the possession of gamma butyrolactone (GBL), or the salts or isomers of GBL or gamma-hydroxybutyrate (GHB), with the intent to manufacture GHB, a felony.

AB 154 (La Suer)

Chapter 13, Statutes of 2002

This bill authorized the Department of Justice to extend the date by which businesses must obtain permits to use specified chemicals that have limited commercial use, but that also may be used in the illegal production of controlled substances, in cases where the chemicals were recently added to the list of restricted chemicals.

AB 2589 (Cardoza)

Chapter 443, Statutes of 2002

This bill modified and clarified provisions governing the disposal and destruction of hazardous chemicals, under controlled substance provisions of the law, by law enforcement agencies. It explicitly specified that a hazardous chemical container or any contaminated item is subject to the disposal provisions applicable to law enforcement agencies, required photographs of the containers and contaminated items to be taken before they are destroyed, and required, with respect to the destruction of a suspected controlled substance in combination with a hazardous chemical involving the issuance of a search warrant, an affidavit to be filed in the issuing court that contains size and volume-related information.

SB 1943 (Perata)

Failed, 2002

This bill would have eliminated the 2003 sunset on the Controlled Substance Utilization Review and Evaluation System (CURES), which is a database that electronically monitors the prescribing and dispensing of Schedule II controlled substances in California that was established to assist law enforcement and regulatory agencies in their efforts to control the diversion and resultant abuse of Schedule II drugs.

CONTROLLED SUBSTANCES

AB 709 (Correa)

Chapter 142, Statutes of 2003

This bill authorized the Department of Justice to establish a system for issuing a citation, including an order of abatement or an administrative fine, as an alternative to criminal prosecution for businesses that violate regulations concerning restricted chemicals that can be used in the manufacture of controlled substances but which are used in numerous legitimate products and services.

SB 276 (Vasconcellos)

Chapter 369, Statutes of 2003

This bill required entities that sell, transfer, or otherwise furnish specified chemical substances to any person or entity in California or any other state obtain a letter of authorization and proper identification from the purchaser and submit a report to the Department of Justice. The bill also added phosphorous to the list of chemical substances for which a report is required.

AB 158 (Runner)

Chapter 619, Statutes of 2004

This bill provided that the possession of precursors, compounds, or mixtures related to specified substances with the intent to manufacture those specified substances or any controlled substance shall be deemed to be possession of the specified substance. The bill also applied certain criminal penalties to any person who, with intent to manufacture methamphetamine, possesses a reducing agent or essential chemicals sufficient to manufacture a reducing agent.

AB 2078 (Cogdill)

Failed, 2004

This bill would have imposed prohibitions on the sale of iodine.

SB 734 (Torlakson)

Chapter 487, Statutes of 2005

This bill made technical and clarifying changes to the Controlled Substance Utilization Review and Evaluation System (CURES) program. It changed the vendor process for approval of security printers, allowed the Department of Justice to collect fees for criminal background checks for vendors and defined who must undergo checks, authorized DOJ to examine applicants' books and visit their businesses, authorized courts to prevent prescribers from obtaining new forms when criminal charges are pending, changed features of the prescription form, and allowed DOJ to set the format for reporting in the CURES system.

CONTROLLED SUBSTANCES (continued)

AB 465 (Cogdill)

Chapter 468, Statutes of 2005

This bill would have added iodine and tincture of iodine as controlled precursor substances.

AB 2057 (Cogdill)

Failed, 2006

This bill would have allowed analytical research facilities to purchase minute quantities of controlled substances without being registered with the California Department of Justice; required drug manufacturers and wholesalers to obtain a permit from, and report transactions of substances that can be used to make methamphetamine to, DOJ, even if they are licensed by the State Board of Pharmacy; and deleted the exemption that allows manufactures and distributors of controlled substances to forgo the permitting process administered by DOJ.

AB 2694 (Canciamilla)

Vetoed , 2006

This bill would have eliminated the requirement that narcotic registration information be reported to the Department of Justice. Cosponsored with the California Law Enforcement Association of Records Supervisors.

AB 2986 (Mullin)

Chapter 286, Statutes of 2006

This bill conformed California law to the National All Schedules Prescription Electronic Reporting Act of 2005. It added Schedule IV drugs to the list of controlled substances subject to electronic reporting and monitoring system under the Controlled Substances Utilization Review and Evaluation System (CURES) program. It also required information provided to the Department of Justice by the dispensing pharmacist for each prescription for a Schedule II, III, or IV controlled substance to contain additional information pertaining to the ultimate user or research subject and information on the number of refills ordered.

CONTROLLED SUBSTANCES (continued)

SB 1299 (Speier)

Chapter 646, Statutes of 2006

This bill applied the criminal penalties in existing law for a person who possesses specified substances at the same time with the intent to manufacture phencyclidine or methamphetamine to any person who possess those and other specified substances at the same time with the intent to manufacture or with the intent to sell, transfer, or otherwise furnish to another person, knowing that they would be used to manufacture those products. Cosponsored with the California District Attorneys Association and the California Narcotics Officers Association.

CRIME PREVENTION

AB 235 (Kuehl)

Failed, 1999

This bill would have created the California Youth Violence Prevention Authority, with duties and responsibilities related to the prevention of youth violence, including the production of a statewide plan for the coordination of youth violence prevention programs and resources, for presentation to the Legislature by January 1, 2001.

AB 1602 (Machado)

Vetoed, 2000

This bill would have strengthened the ability of the Attorney General and State Superintendent of Public Instruction's School/Law Enforcement Partnership Cadre to provide training, resources and technical assistance to California schools on school safety issues.

AB 1840 (Bates)

Chapter 399, Statutes of 2000

This bill required an additional \$10 fee from individuals convicted of vandalism and other specified crimes, to be used exclusively for crime prevention programs by the local police, sheriffs, and probation departments in the area where the crime occurred.

SB 1580 (Alpert)

Failed, 2000

This bill would have required the existing School Safety and Violence Prevention Strategy Program to be administered by the Attorney General as well as with Superintendent of Public Instruction. It would have stated the Legislature's intent that public schools with kindergarten through grade 12 have access to supplemental resources to establish programs and strategies that promote school safety and emphasize violence prevention among children and youth in the public schools. It also would have authorized both school districts and county offices of education to apply for grants to be used in schools serving kindergarten through grade 12 to promote school safety and violence prevention among children and youth.

CRIME PREVENTION (continued)

SB 1831 (Burton)

Vetoed, 2000

This bill would have established the School Safety Academy Pilot Project, to be administered by the Department of Justice, whereby school safety academies would have received funding from DOJ to develop and implement integrated, comprehensive school safety training for those responsible for school safety and school community violence prevention. It would have appropriated \$825,000 to DOJ to implement the pilot project for three years.

SB 1850 (Costa)

Failed, 2000

This bill would have established the Juvenile Justice Outreach and Crime Prevention Program, to be administered by the Department of Justice for the purpose of assisting local agencies in developing comprehensive juvenile delinquency prevention and intervention strategies. The program would have been a coordinated effort integrating local law enforcement, probation agencies, public health, community-based organizations, and schools. This bill would have appropriated \$26 million from the General Fund to DOJ.

AB 355 (Havice)

Chapter 120, Statutes of 2001

This bill required the Commission on Peace Officer Standards and Training (POST) to develop a training course for peace officers who are assigned as school resource officers and required these individuals to take the course.

SB 131 (Escutia)

Failed, 2001

This bill would have enacted the California Safe From the Start Partnership Program administered by the Department of Justice in consultation with the Department of Health Services. The program would have provided five-year annual grants to local law enforcement agencies for programs aimed at reducing the number of children who are witness to, or victims of, violence. This bill would have continuously appropriated \$3.3 million from the General Fund each fiscal year.

CRIME PREVENTION (continued)

SB 719 (Kuehl)

Chapter 828, Statutes of 2003

This bill required each school district and county office of education to review and approve all comprehensive safety plans for its schools operating any combination of kindergarten to grade 12. This bill also repealed and recast provisions of the 1985 School Safety Act and required the School/Law Enforcement Partnership to sponsor biennial statewide conferences to identify programs and techniques that have been effectively utilized to reduce school crime.

AB 993 (Ridley-Thomas)

Failed, 2004

This bill would have established the Youth Gang Violence Task Force to study the issues of youth gang-related homicides in California and report and make recommendations to the Legislature not later than January 1, 2006.

SB 215 (Alpert)

Vetoed, 2004

This bill would have created the California Youth Policy Council, at which state agency directors with a mission and responsibility to serve children and youth would have met with youth representatives to devise strategies for coordinating and improving existing youth programs and youth violence prevention efforts.

AB 1981 (Bass)

Failed, 2006

This bill would have created the Collaborative Opportunities for Rehabilitation and Employment Act (CORE) to provide for a competitive grant program. A community-based organization, in collaboration with law enforcement agencies, could have applied to the Department of Justice for financial assistance to implement plans to establish and operate reentry services for local jail inmates that provide necessary services and supports to reduce the rate of recidivism of offenders and increase the potential of successful reintegration.

ACR 109 (Montanez)

Chapter 11, Statutes of 2006

This resolution recognized February 6th through 10th as Teen Dating Violence Awareness and Prevention Week.

CRIMINAL HISTORY

AB 1115 (Strom-Martin)

Chapter 78, Statutes of 1999

This bill clarified the requirement that school districts obtain a criminal history file from the Department of Justice before employing someone.

AB 2665 (Ackerman)

Chapter 972, Statutes of 2000

This bill required the Department of Justice to advise a prospective employer when an applicant who would have supervisory or disciplinary power over children or provide domestic or personal care to an elder or disabled person, had been convicted of specified sex offenses within the prior 10 years, excluding periods of incarceration.

SB 900 (Ortiz)

Chapter 627, Statutes of 2002

This bill consolidated the number and type of dissemination criteria utilized by the Department of Justice to provide criminal offender record information to authorized entities to facilitate their background clearances of potential licensees or employees.

AB 879 (Keeley)

Chapter 986, Statutes of 2002

This bill extended, until 2006, the sunset on the \$1 vehicle registration fee surcharge that is imposed in some counties to fund local fingerprint identification programs. The bill required counties collecting the fee to issue a fiscal end-year report to the Controller, and it provided for the suspension of the fee for failure to issue a timely report. Cosponsored with the California State Sheriffs' Association.

AB 2659 (Runner)

Chapter 623, Statutes of 2002

This bill established a Department of Justice certification program for persons who roll applicant fingerprint impressions for employment, licensing or certification purposes. Effective January 1, 2004, DOJ is prohibited from accepting applicant fingerprint impressions that were not rolled by a certified individual.

CRIMINAL HISTORY (continued)

SB 873 (McPherson)

Chapter 124, Statutes of 2003

This bill clarified that requests for federal-level criminal record information received by the Department of Justice for purposes of screening employees with supervisory or disciplinary power over members of specified vulnerable populations would be forwarded by DOJ to the Federal Bureau of Investigation. The bill also repealed provisions regarding the maintenance of certain juvenile criminal records.

SB 970 (Ortiz)

Chapter 470, Statutes of 2003

This bill required the Attorney General to establish an electronic communication network to facilitate the transmission of requests from specified entities for criminal offender record information for employment, licensing, certification, child placement, or adoption purposes. It also required the Department of Justice to only accept a request for information if it was transmitted electronically from an approved entity.

SB 1314 (Ortiz)

Chapter 184, Statutes of 2004

This bill further refined the dissemination criteria for criminal offender record information as established by SB 900 (Ortiz) in 2002.

SB 1388 (Ortiz)

Chapter 570, Statutes of 2004

This bill authorized an entity that provides television, computer, or telephone services to request a state-level and federal-level criminal history background check through the Department of Justice. It also authorized public utilities to request federal-level, as well as state-level, criminal history.

SB 1107 (Public Safety Committee)

Chapter 279, Statutes of 2005

This omnibus bill provided the Department of Justice with fee authority for Child Abuse Central Index checks on peace officer candidates and made technical changes related to DOJ's ability to provide criminal history information.

CRIMINAL HISTORY (continued)

AB 1738 (Governmental Organization Committee)

Chapter 520, Statutes of 2005

This bill required that before any person is authorized to have access to an electronic recording delivery system established by a county recorder, he or she must undergo a federal-level, as well as a state-level, background check.

AB 1470 (Negrete-McLeod)

Failed, 2006

This bill would have required local law enforcement agencies to provide juvenile arrest information to the Department of Justice, which is statutorily required to maintain juvenile arrest information.

AB 1774 (Human Services Committee)

Chapter 726, Statutes of 2006

This bill deleted the requirement that a state child welfare agency request a fingerprint-based criminal history check after it has requested a criminal history check via the California Law Enforcement Telecommunications System (CLETS) except in emergency child placement cases.

SB 1346 (Ortiz)

Failed, 2006

This bill would have required any disposition report in a criminal case that is submitted to the Department of Justice to include the right and left thumb prints of the defendant.

CRIMINAL LAW – MISCELLANEOUS

SB 555 (Karnette)

Chapter 518, Statutes of 1999

This bill updated the arson registration statutes by specifying that persons convicted of aggravated arson must register by setting forth the length of time specified offenders must register, requiring the probation department rather than the court to inform a defendant released on probation of his or her duty to register as an arson offender, and setting forth the procedure by which a person convicted of a misdemeanor may be relieved of the duty to register. The bill also reinstated the \$5 million damages provision for the crime of aggravated arson, which had sunsetted on January 1, 1999.

SB 1282 (Lewis)

Chapter 854, Statutes of 1999

This bill clarified that the penalty enhancement for hit-and-run resulting in death or serious injury applies when the injury results from the accident, not after the perpetrator leaves the scene of the accident. The bill also makes documents sent electronically by the Department of Justice to the Department of Motor Vehicles (DMV) regarding a license suspension admissible in DMV administrative hearings. Cosponsored with the California District Attorneys Association.

AB 1808 (Wayne)

Chapter 689, Statutes of 2000

This bill permitted a defendant who commits two entirely separate crimes with an enhancement for using a deadly weapon to receive the enhancement on both crimes. Cosponsored with the California District Attorneys Association.

SB 578 (Figueroa)

Chapter 130, Statutes of 2001

This bill clarifies the definition of a flechette dart, which is a dart capable of being fired from a gun.

SB 1151 (Margett)

Chapter 48, Statutes of 2001

This bill eliminated the rule that automatically stayed trial court orders in certain child custody cases when the order directed that the child be returned to another state or country that has jurisdiction over the custody dispute. It allowed, but did not require a stay of the trial court order when an appeal is filed in interstate and international child custody disputes.

CRIMINAL LAW – MISCELLANEOUS (continued)

AB 2952 (Niello)

Failed, 2006

This bill would have authorized an appeal by the prosecutor when a magistrate reduces an alternate felony-misdemeanor (wobbler) to a misdemeanor.

Cosponsored with the California District Attorneys Association.

SB 1247 (Runner)

Chapter 141, Statutes of 2006

This bill clarified the circumstances under which the Department of Justice shall deny or revoke a person's certification as a fingerprint roller and permitted an exemption from the certification requirement for an employee of a tribal gaming agency or a tribal gaming operation under specified circumstances.

SB 1422 (Margett)

Chapter 901, Statutes of 2006

This omnibus bill made technical clean up changes to Penal Code provisions and penal provisions in other codes. Cosponsored with the California District Attorneys Association.

CRIMINAL PROCEDURE

AB 154 (Cunneen)

Chapter 363, Statutes of 1999

This bill changed the procedures to be followed when a defendant makes a motion to recuse the district attorney by requiring the motion to include witness affidavits; requiring the judge to review those affidavits before determining whether or not there should be an evidentiary hearing on the motion; authorizing the district attorney or the Attorney General to file affidavits in opposition; and prohibiting a recusal motion to be made at trial if it was brought at the preliminary hearing, unless it is based on facts that were raised or could have been raised at the time of the original motion.

SB 786 (Schiff)

Chapter 350, Statutes of 1999

This bill clarified that the question of whether or not a defendant was convicted of a prior offense is to be determined by the elements of the crime, rather than a reference to the section in which the crime was previously defined. Cosponsored with the California District Attorneys Association.

AB 2567 (Jackson)

Chapter 242, Statutes of 2000

This bill required that before a defendant, defense attorney, or prosecution attorney may discuss a verdict with a juror, the juror must be informed of the identity of the case, the party that the person represents, the subject of the interview, the absolute right of the juror to discuss or not discuss the deliberation or verdict with any person, and the right of the juror to review and have a copy of any declaration filed with the court.

AB 883 (Runner)

Chapter 65, Statutes of 2003

This bill clarified that exact reproductions of some business files of the Department of Justice are admissible in court.

SB 1285 (Margett)

Chapter 154, Statutes of 2004

This bill allowed juvenile data collected for either criminal or statistical purposes to be used for both purposes.

CRIMINAL PROCEDURE (continued)

AB 2160 (Reyes)

Chapter 517, Statutes of 2004

This bill established the Department of Justice as the lead agency for foreign prosecutions and foreign law enforcement matters with the responsibility of assisting local law enforcement agencies with foreign prosecutions and child abduction recoveries and returns under the Hague Convention.

SB 16 (Alquist)

Chapter 2, Statutes of 2005

This bill prevented the chaptering out of a bill relating to the statute of limitations in criminal cases by a subsequently-enacted extraordinary session bill.
Cosponsored with the California District Attorneys Association .

SB 447 (Poochigian)

Chapter 110, Statutes of 2005

This bill codified the requirement that in order for a ward committed to the Youth Authority to be incarcerated past his or her maximum expiration date because he or she is physically dangerous to the public because of his or her mental or physical deficiency, disorder, or abnormality, the court must find that the deficiency, disorder, or abnormality causes the ward to have serious difficulty controlling his or her dangerous behavior.

AB 2367 (La Suer)

Chapter 347, Statutes of 2006

This bill changed numerous archaic indeterminate criminal sentences to determinate sentences in the areas of alcoholic beverages control, price fixing of commodities, escrow agents, desert native plants, public officers and employees oaths, pipeline safety, hazardous waste, vehicular air pollution, environmental laboratories, drinking water, employment regulation, military and veterans, public utilities, revenue and taxation and water pollution. Cosponsored with the California District Attorneys Association.

SB 1391 (Margett)

Failed, 2006

This bill would have narrowed discovery requirements in habeas corpus cases in which the defendant was sentenced to death or life in prison without the possibility of parole. The defendant would have been entitled to reasonable access to materials to which he or she was entitled at the time of trial only if those materials were not previously discovered or were lost or destroyed by defendant's trial counsel since the time of trial.

DNA

SB 654 (Schiff)

Chapter 475, Statutes of 1999

This bill made technical amendments to the Forensic Identification Data Base and Data Bank Act to clarify the crimes subject to data bank collection and the specimens required, ensure the specimens are ordered and taken before the offender's release, clarify laboratory certification requirements, ensure that discovery complies with Penal Code provisions so as to protect confidential information, clarify inconsistent language regarding coordination with the national data bank, and coordinate cross-references to other Penal Code sections.

AB 2814 (Machado)

Chapter 823, Statutes of 2000

This bill deleted a statutory prohibition on the comparison of DNA samples from a suspect with DNA from unsolved crimes for he or she is not the suspect, and it permitted DNA samples of specified criminal suspects who have been charged by information or indictment to be compared against the DNA evidence of all unsolved crimes. It further required the sample to be purged two years from the date of the filing of the information or indictment or if the suspect is acquitted or charges are dropped.

AB 453 (Correa)

Chapter 482, Statutes of 2001

This bill allowed a forensic scientist required to handle or perform DNA or other forensic analysis within the scope of his or her duties who comes into contact with blood or bodily fluid to have the blood or bodily fluid tested for HIV and to obtain the test results.

AB 673 (Migden)

Chapter 906, Statutes of 2001

This bill expanded the list of offenses that qualify for inclusion in the state's DNA data bank to include four additional crimes: residential burglary, first degree robbery, arson and carjacking.

DNA (continued)

SB 824 (Poochigian)

Chapter 477, Statutes of 2001

This bill provided that, subject to funds being provided in the annual Budget Act, the Department of Justice, the California State University, and the University of California, would work together to enhance collaborative opportunities for DNA training of university students, graduates, and existing employees of crime laboratories. It further provided that, subject to funding, through its California Criminalistics Institute, DOJ would develop and create an internship program for graduate-level students designed to prepare students to meet national standards for DNA analysis.

SB 22 (Migden)

Chapter 3, Statutes of 2005

This bill provided initial funding for the implementation of the DNA, Fingerprint, Unsolved Crime and Innocence Protection Act, enacted by Proposition 69.

AB 2850 (Spitzer)

Chapter 170, Statutes of 2006

This bill made minor and technical changes to the DNA, Fingerprint, Unsolved Crime and Innocence Protection Act, enacted by Proposition 69, including clarifying who is subject to DNA collection and making changes to conform the Act to federal requirements.

SB 75 (Dunn)

Chapter 39, Statutes of 2006

This bill provided the Department of Justice with an emergency appropriation to compensate for a fiscal shortfall in the DNA Identification Fund, which funds the implementation of the DNA, Fingerprint, Unsolved Crime and Innocence Protection Act enacted by Proposition 69.

DOMESTIC VIOLENCE

AB 825 (Keeley)

Chapter 661, Statutes of 1999

This bill required the Judicial Council to adopt, and the Department of Justice to approve, forms used for certain protective and restraining orders, and it required these forms to be used for the transmittal of information to DOJ for including in the Domestic Violence Restraining Order System.

SB 1425 (Figueroa)

Failed, 2000

This bill would have required the Department of Justice, in collaboration with the Department of Health Services, to establish a uniform approach for providing immediate assistance to victims of domestic violence and for collecting forensic evidence concerning domestic violence crimes. It also would have required, in any case in which a medical professional determines that a patient's injuries are a result of domestic violence and additional supportive services or follow-up or a forensic examination is desired by the provider and the patient, that the medical professional call both a victim advocate and law enforcement. If the patient consented to a forensic examination, and law enforcement agreed it would be advantageous to building their case, a forensic examination would have occurred according to the established protocol.

SB 1627 (Kuehl)

Chapter 265, Statutes of 2002

This bill required a law enforcement officer who serves a protective order to submit the proof of service directly into the state's Domestic Violence Restraining Order System (DVROS), which is maintained by the Department of Justice. If the protective order was served upon the restrained person by someone other than a law enforcement officer, the bill required the court to transmit a copy of the proof of service to a local law enforcement agency within one business day of receipt for that agency to enter the order into DVROS if the court is unable to submit the proof of service directly into the system.

SB 1722 (Escutia)

Failed, 2002

This bill would have required a domestic violence incident report prepared by law enforcement to include the name and age of any child who was, or who was reasonable likely to have been, a witness to the reported act of domestic violence.

DOMESTIC VIOLENCE (continued)

AB 818 (Jackson)

Failed, 2003

This bill would have created a task force in the Office of the Attorney General comprised of various representatives and chaired by the Attorney General to study criminal justice responses to domestic violence statewide. The bill would have required the task force to examine promising policies and practices of local criminal justice agencies, identify law enforcement and community collaborations to reduce domestic violence, and identify challenges that may present barriers to these efforts.

AB 1288 (Chu)

Chapter 702, Statutes of 2005

This bill requires a court, if it issues a protective order in a domestic violence case, to prohibit the defendant from purchasing a firearm and require the defendant to relinquish any firearms in his or her possession. The bill also authorized a peace officer to advise a person protected by a protective order that the restrained person has a handgun or a registered assault weapon.

SB 720 (Kuehl)

Chapter 631, Statutes of 2005

This bill authorized a district attorney or city attorney to pursue a court action for contempt against a party for failing to comply with a court order entered pursuant to the Family Code, required a court to transmit all data filed with the court with respect to a domestic violence protective order to law enforcement personnel in the same manner that criminal court protective orders are transmitted, and clarified that an order protecting victims of violent crime applies to all contact by the defendant, thereby ensuring the court's authority to issue stay-away orders in addition to criminal protective orders.

ELDER ABUSE

AB 1499 (Lowenthal)

Chapter 414, Statutes of 1999

This bill required long-term health care facilities and other specified facilities that care for the elderly to provide training to recognize and report elder and dependent adult abuse; required the Department of Justice, in cooperation with the Department of Health Services and Department of Social Services, to develop a minimal core-training program; and imposed mechanisms to ensure compliance with these mandates.

AB 1891 (Lowenthal)

Chapter 186, Statutes of 2000

This bill added to the list of witnesses who may be examined conditionally for specified reasons, including a situation in which the witness is sick or infirm, a witness who is 70 years of age or older or a "dependent adult."

SB 1551 (Dunn)

Chapter 448, Statutes of 2000

This bill strengthened the rights of the family council in skilled nursing facilities and intermediate care facilities, and it imposed penalties for violations of those rights.

SB 1804 (Escutia)

Vetoed, 2002

This bill would have required all persons newly hired to work in an intermediate care facility or a skilled nursing facility to undergo the same background check required of specified persons working in an intermediate care facility and to be denied employment for the same reasons.

ACR 154 (Matthews)

Failed, 2004

This resolution would have permanently proclaimed the month of May as Elder and Dependent Adult Abuse Awareness Month.

ACR 8 (Dymally)

Chapter 28, Statutes of 2005

This resolution permanently declared the month of May as Elder and Dependent Adult Awareness Month.

ELDER ABUSE (continued)

SB 397 (Escutia)

Failed, 2006

This bill would have required every skilled nursing facility and residential care facility in a county that has a county elder death review team to notify the team via fax or e-mail whenever there is a death of an elderly resident at the facility.

Cosponsored with California Advocates for Nursing Home Reform.

EMPLOYMENT

AB 1127 (Steinberg)

Chapter 615, Statutes of 1999

This bill extended the time within which any person who believes he or she has been discharged or otherwise discriminated against in violation of the Labor Code may file a complaint with the Division of Labor Standards Enforcement; provided that the issuance of, or failure to issue, a citation by the Division of Occupational Safety may be considered or admitted into evidence in a personal injury or wrongful death action as between an employee and his or her employer; expanded the circumstances under which the Division must investigate a complaint that an employee's employment or place of employment is not safe; and increased the penalties for specified Labor Code violations.

ENVIRONMENT

SB 471 (Sher)

Chapter 578, Statutes of 2001

This bill made changes to improve the implementation of Proposition 65, including requiring the notice in warning cases to include a certificate of merit; requiring court approval of any settlement in a private Proposition 65 action; establishing criteria for a court to consider in assessing any civil penalty awarded under the statute; and expanding the existing requirements to report Proposition 65 actions to the Attorney General to cover all settlements entered, including those where no complaint has been filed, and other types of complaints in which violations of Proposition 65 are alleged.

SB 1628 (Sher)

Chapter 396, Statutes of 2002

This bill permitted the Attorney General, in appropriate cases, to represent both an identified state board and another state agency in the same environmental matter when the affected parties consent. If the Attorney General chooses to represent the only state agency, the board will be represented by its inside counsel, or by outside counsel if the Attorney General consents as required under current law.

AB 1015 (Laird)

Failed, 2004

This bill would have required the land use element of the general plan of a city or county to include, by July 1, 2006, a statement of sources of water supply and potential sources. The bill also would have authorized the use of designated fees to cover the costs of the water supply component of the land use element of the general plan.

AB 648 (Jones)

Vetoed, 2005

This bill would have required development permit applicants to divulge to local governments the identity of the person or entity who will own, operate, occupy, or lease the project.

SB 409 (Kehoe)

Failed, 2006

This bill would have clarified existing General Plan law to require local governments to correlate the water portion of the "conservation element" with the "land use element" of general plans.

FIREARMS

AB 403 (Romero)

Chapter 1022, Statutes of 1999; funding vetoed

Among other provisions, this bill would have appropriated \$200,000 from the General Fund to the Department of Justice for training local law enforcement officers about the enforcement of firearms laws at gun shows.

AB 491 (Scott)

Chapter 571, Statutes of 1999

This bill made the possession of a concealed or loaded firearm an alternate misdemeanor/felony (wobbler) if both of the following conditions are met: both the firearm and unexpended ammunition are either in the immediate possession of the person or readily accessible; and the person is not listed with the Department of Justice as the registered owner of the firearm.

AB 1587 (Scott)

Chapter 578, Statutes of 1999

This bill reinstated the Department of Justice's ability to deny the purchase or transfer of firearms to individuals who have been demonstrated to be a danger to themselves or others as a result of mental health disabilities. The bill also provided these individuals the ability to request a hearing for the purpose of attempting to demonstrate they can safely control firearms in spite of their mental health disabilities.

AB 1097 (Romero)

Failed, 2000

This bill would have established within the Department of Justice a Firearm Law Enforcement Unit for the purpose of investigating gun law violations and assisting local law enforcement agencies in the gathering of evidence and in the prosecution by local government of gun law violations.

AB 32 (Scott)

Failed, 2000

This bill would have required a facility that admits persons on a 72-hour psychiatric evaluation hold to submit a report for inclusion in the Department of Justice Automated Firearms System for each person subject to a hold who was admitted to the facility during the period between May 1, 1997 and February 1, 2000. The bill also would have required DOJ to make a good faith effort to notify people admitted to a facility during that time period of their ineligibility to own, possess, or control a firearm.

FIREARMS (continued)

AB 1961 (Machado)

Chapter 668, Statutes of 2000

This bill expanded the definition of a machine gun to include any weapon that can readily be restored to automatically shoot more than one shot. It included in that definition any combination of parts from which a machine gun can be assembled if those parts are in the possession and control of the person.

AB 2536 (Jackson)

Chapter 479, Statutes of 2000

This bill required the Department of Justice to produce public service announcements in both English and Spanish regarding recent changes in firearm laws and gun owners' responsibilities regarding safe storage of a firearm.

SB 510 (Scott)

Chapter 608, Statutes of 2002

This bill prohibited any person in California from manufacturing or importing for sale, or any licensed firearms dealer from selling or transferring, a semiautomatic pistol after January 1, 2003, if it does not have a chamber load indicator and if it has a detachable magazine. It provided for specified exemptions for law enforcement, private party transfers, entertainment props, and curios and relics.

SB 626 (Perata)

Chapter 937, Statutes of 2001

This bill clarified that law enforcement personnel are exempt from the prohibition on the sale of ammunition magazines that can hold more than 10 rounds. It also clarified that certain tubular magazines on lever-action weapons are exempt from the large capacity magazine restriction and provided for peace officer assault weapon purchases with agency approval.

SB 950 (Brulte)

Chapter 944, Statutes of 2001

This bill required the Department of Justice to identify and establish a data base of individuals who have purchased firearms and subsequently fall into category that prohibits them from possessing firearms, and to provide this information to local law enforcement.

FIREARMS (continued)

AB 2580 (Simitian)

Chapter 910, Statutes of 2002

This bill required the Department of Justice to expand gun regulation and enforcement activities to include annual inspections of each firm or corporation permitted to possess or manufacture short-barreled rifles or shotguns, assault weapons, machine guns, and destructive devices for security, safe storage purposes, and to reconcile inventory. The bill also made a person, firm or corporation, with an inventory of fewer than five devices that require a permit subject to inspection once every five years or as determined by DOJ, and it exempted individuals who possess an assault weapons permit for non-commercial purposes.

AB 2695 (Oropeza)

Chapter 830, Statutes of 2002

Subject to funding, this bill required the Attorney General, working with the Judicial Council, the California Alliance Against Domestic Violence, and specified law enforcement groups, to develop a protocol by January 1, 2005, on the enforcement of restrictions on firearm ownership and gun seizures. It extended, from 72 hours to five business days, the time within which a firearm seized at a domestic violence scene must be returned. It also extended, from 30 to 60 days, the time within which a law enforcement agency that has reasonable cause to believe the return of the gun or other deadly weapon would likely result in danger to the victim or reporting witness, to initiate a petition to determine if the firearm or other deadly weapons should be returned. Cosponsored with the Los Angeles City Attorney's Office.

AB 2902 (Koretz)

Chapter 912, Statutes of 2002

This bill authorized the Department of Justice to annually retest up to 10 percent of the handgun models listed on the roster of approved "safe handguns." It required any manufacturer wishing to add a handgun to the roster to provide DOJ with the testing history of the model; if the manufacturer fails to provide this information, the DOJ may exclude the gun from the roster. It also required the ammunition used to satisfy the "firing requirements for handguns" to be ammunition commercially available and certified by DOJ as suitable for testing purposes.

FIREARMS (continued)

AB 580 (Nunez)

Chapter 49, Statutes of 2003

This bill provided that dismissal of a conviction does not permit a person to own, possess, or have in his or her custody or control any firearm.

AB 1044 (Negrete-McLeod)

Chapter 541, Statutes of 2003

This bill deleted duties required of the Department of Justice with respect to Carrying Concealed Weapons (CCW) permits, revised the standard CCW application, and exempted CCW application forms from the requirements of the Administrative Procedures Act.

SB 238 (Perata)

Chapter 499, Statutes of 2003

This bill enacted a number of changes to the laws relating to deadly weapons, to clarify that the Department of Justice is authorized to issue annual permits for the sale of assault weapons, clarify that persons issued permits by DOJ to sell assault weapons are also authorized to transfer assault weapons, repeal obsolete exemptions in the assault weapons law for honorably retired peace officers, redefine a “flamethrower,” and provide that persons who apply for state explosive permits will not be subject to double background check fees.

SB 255 (Ducheny)

Chapter 298, Statutes of 2003

This bill established a procedure to allow individuals to request a determination from the Department of Justice as to whether the prospective purchaser is prohibited from purchasing or otherwise possessing a firearm, without the necessity of a firearm purchase. The bill also authorized DOJ to charge a fee for this service, and it prohibited any person or agency from requiring or requesting another person to obtain a firearms eligibility check.

FIREARMS (continued)

SB 824 (Scott)

Chapter 502, Statutes of 2003

This bill authorized firearms dealers to require any agent who handles, sells or delivers firearms to obtain and provide to the dealer a certificate of eligibility, required the firearms dealer's salesperson to record the salesperson's certificate of eligibility number in the register or record of electronic transfer, and prohibited firearms dealers from charging any fee in addition to the processing fee in connection with the sale, loan or transfer of a firearm.

AB 161 (Steinberg)

Chapter 754, in Statutes of 2004

This bill provided that fees charged in connection with checking the backgrounds of prospective firearms purchasers may be used to fund firearms-related regulatory and enforcement programs. The bill also made an appropriation from the Dealer's Record of Sale Special Account to the Department of Justice for the purpose of implementing the provisions requiring verification of certain firearms dealers' licenses in specified circumstances.

AB 1232 (Lowenthal)

Chapter 247, Statutes of 2004

This bill made changes to references in the code from non-existing federal firearm regulations to newly numbered federal firearm regulations.

AB 2431 (Steinberg)

Chapter 602, Statutes of 2004

This bill created procedures for disposing of illegally-possessed firearms and returning firearms used as court exhibits. It also required law enforcement to conduct a background check on the owner of a firearm involved in a criminal investigation prior to its return.

SB 1858 (Dunn)

Chapter 607, Statutes of 2004

This bill required special painting on imitation firearms carried in public and created penalties for altering the painting of such devices.

FIREARMS (continued)

AB 88 (Koretz)

Chapter 690 Statutes of 2005

This bill permitted a defendant to be separately convicted and punished for possession of an illegal assault weapon for each weapon possessed.

SB 357 (Dunn)

Failed, 2005

This proposal would have required handgun bullets sold or possessed in public in California to have serial numbers, required retailers to verify that the purchaser of a firearm is over the age of 21 years, and required that ammunition sold in California be electronically reported to the Department of Justice and stored in a database accessible to law enforcement agencies.

AB 1060 (Liu)

Chapter 715, Statutes of 2005

This bill provided a means for security guard companies to report their firearms inventory to the Department of Justice and required that they do so, made gun show sign requirements consistent, and required gun dealers to store all inventory firearms at their licensed location.

AB 754 (Jones)

Vetoed, 2005

This bill would have authorized the Department of Justice to create a centralized list of federal firearms licensees (FFLs) who are exempt from obtaining a dealer license, required the licensees to provide a basis for their exemption, and authorized DOJ to assess an annual fee to cover enforcement and compliance costs. The bill also would have allowed DOJ to inspect FFL holders who are not licensed California firearms dealers, required out-of-state vendors to verify through DOJ that the recipient of a firearms shipment is eligible to receive the firearms, and made it a misdemeanor violation of law for an FFL holder to receive firearms shipments from an FFL holder that is not present on a centralized list created by DOJ.

FIREARMS (continued)

AB 2521 (Jones)

Chapter 784, Statutes of 2006

This bill authorized the Department of Justice to create a centralized list of federal firearms licensees (FFLs) who are exempt from obtaining a dealer license, required the licensees to provide a basis for their exemption, and authorized DOJ to assess an annual fee to cover enforcement and compliance costs. The bill also allowed DOJ to inspect FFL holders who are not licensed California firearms dealers, required out-of-state vendors to verify through DOJ that the recipient of a firearms shipment is eligible to receive the firearms, and made it a misdemeanor violation of law for an FFL holder to receive firearms shipments from an FFL holder that is not present on a centralized list created by DOJ.

AB 2728 (Klehs)

Chapter 793, Statutes of 2006

This bill repealed an obsolete provision that allowed the Attorney General to deem certain weapons “assault weapons.” It also made the possession of an assault weapon in violation of the Penal Code a nuisance, allowing for its destruction.

FORENSIC SERVICES

SB 627 (Johnston)

Vetoed, 1999

This bill would have established the Task Force on Statewide Forensic Services to assess the status of crime laboratories in California, including operational and facilities matters, and to produce a Statewide Forensic Services Master Plan with recommendations to the Governor and the Legislature.

SB 1558 (Costa)

Vetoed, 2000

This bill would have ensured that the costs of blood alcohol tests performed by the DOJ are fully reimbursed in order to avoid the impairment of the other law enforcement functions it performs. The bill also would have eliminated the potential liability of the General Fund to a local public entity for tests ordered for motorists arrested within the jurisdiction of the public entity.

SB 861 (Costa)

Failed, 2001

This was a reintroduction of SB 1558 (Costa) from 2000.

GAMBLING

SB 829 (Figueroa)

Chapter 351, Statutes of 1999

This bill authorized the Department of Justice's Division of Gambling Control (the Division) to extend a provisional license authorizing the holder to own or operate a card club until summoned by the Division to apply for a new state gambling license if certain conditions were met. It allowed the Gambling Commission or the Division to adopt a regulation to allow a person who is required to hold a state license prior to owning or being employed at a card club to engage in that activity prior to licensure. It also required each applicant to submit fingerprints and gave the Division the express authority to obtain federal-level criminal history information for licensing purposes.

SB 1812 (Vincent)

Chapter 487, Statutes of 2004

This bill authorized an administrative law judge, in a case in which that judge recommends that the California Gambling Control Commission revoke, suspend, or deny a gaming license, to order the licensee or applicant for a license to pay the Department of Justice's Division of Gambling Control the reasonable costs of the investigation and prosecution of the case.

AB 1753 (Assembly Governmental Organization Committee)

Chapter 546, Statutes of 2005

This bill increased the penalties for gambling offenses (e.g., cheating), deleted the requirement that gambling key employees be residents of California, and allowed slot machines to be used as props for television and movie productions under specified conditions.

AB 1620 (Klehs)

Chapter 721, Statutes of 2006

This bill increased the annual license fees for cardrooms charged by the Division of Gambling Control within the Department of Justice, with the revenues used to support enforcement and compliance.

AB 839 (Torrico)

Chapter 707, Statutes of 2006

This bill permitted nonprofit organizations to conduct fundraisers using controlled games as a funding mechanism to further the purposes and mission of the organizations, provided certain conditions are met.

GASOLINE PRICING

AB 2076 (Shelley)

Chapter 936, Statutes of 2000

This bill required the California Energy Commission to study the potential benefits of creating a strategic gasoline reserve in California in order to increase gasoline supplies and reduce the likelihood of gasoline price spikes. It also required the Commission to examine ways the state can optimize its gasoline supplies by curbing demand.

AB 2098 (Migden)

Chapter 963, Statutes of 2000

This bill required the California Energy Commission to study the feasibility of financing, constructing, or maintaining a new or existing pipeline to import gasoline into California, to help determine what action the state should take to facilitate increasing California gasoline supplies by pipeline.

SB 1846 (Speier)

Failed, 2000

This bill would have required the Department of General Services to examine the feasibility of purchasing gasoline from outside the state for use by state agencies and, after July 1, 2001, seek to purchase gasoline from new sources within or outside the state.

AB 457 (Nunez)

Failed, 2006

This bill would have provided additional consumer protection against price-gouging in emergencies and abnormal market disruptions declared by the Governor, and it would have implemented recommendations of the California Energy Commission with respect to reporting of specified data by oil producers and others in the petroleum industry.

GOVERNMENT INTEGRITY

SB 689 (Johnston)

Chapter 349, Statutes of 1999

This bill modified the law involving conflicts of interest by public officials and employees in making government contracts. It clarified that a public official or employee has a “remote interest” in a contract entered into by the governmental body of which he or she is a member if his or her only financial interest is a salary, per diem or reimbursement for expenses from a governmental entity. A person who has such a “remote interest” in a contract must disclose that interest and may not participate in any voting on the contract, but the governmental body may enter into the contract. This bill also clarified that a public official or employee has no financial interest in a contract merely because he or she receives a salary, per diem or reimbursement for expenses from a governmental entity unless the contract directly involves the department of the government that employs the officer or employee. If the public official or employee has no financial interest, he or she may vote on the contract.

HATE CRIMES

SB 80 (Hayden)

Vetoed, 1999

This bill would have established the Governor's California Commission on Combating Hate Groups to examine civil and criminal liability of hate groups and possible legislation to minimize the influence of hate groups. It also would have established the Attorney General's Commission on Hate Crime Prevention to examine the Department of Justice's role in preventing and prosecuting hate crimes and to provide recommendations to the Legislature in eleven specific areas, such as improving the collection and reporting of hate crime statistics and evaluating the enforcement of criminal and civil rights laws aimed at preventing and punishing perpetrators of hate crimes.

AB 715 (Firebaugh)

Chapter 626, Statutes of 2000

This bill expanded the list of reportable hate crimes to include crimes motivated by the victim's national origin.

AB 1312 (Nakano)

Chapter 566, Statutes of 2001

This bill created in the Department of Justice the Asian Pacific Islander Anti-Hate Crimes Program, which required DOJ to work with a community-based organizations to develop a statewide program to create brochures and workbooks in order to provide information on how to identify and report hate crimes and to conduct training seminars for community organizations in order to better train them to assist themselves or other Asian Pacific Islander communities in dealing with hate crimes.

SB 143 (Murray)

Failed, 2001

This bill would have set standards and provided financial support to city and county human relation commissions to sponsor hate violence prevention and response networks. It would have established criteria for community-based networks, including public agencies such as law enforcement agencies, prosecutors, school districts and sponsoring human relations commissions, to work cooperatively with community-based organizations and faith-based entities toward preventing, identifying, reporting, and responding to hate incidents and hate crimes. Funding provided to these networks would have supported training for participants, the development of a directory of services for victims, and report collection and analyses.

HATE CRIMES (continued)

SB 144 (Murray)

Failed, 2001

This bill would have established within the Department of Justice a statewide toll-free telephone number and Internet web site to allow victims and witnesses to report hate crimes and hate incidences and to receive information on resources available to assist them in all areas of the state.

SB 1139 (Figueroa)

Failed, 2001

This bill would have allocated \$500,000 per year for three years to the School/Law Enforcement Partnership program to provide K-12 schools with the tools they need to put in place programs for preventing, identifying, reporting, and appropriately responding to intergroup tensions, hate incidents, and hate crimes. It also would have required training on school intergroup relations be added to the required curriculum for an administrative credential, provided that additional funds be made available to allow all schools to administer the California Healthy Kids Survey, expanded the Attorney General's biennial statewide California Student Survey in order to gain information about students' perceptions of hate crimes, granted financial awards to individual schools that voluntarily implement a hate crime reporting procedure, and funded a Department of Education study of the effectiveness of currently existing hate crime programs and policies in school districts.

AJR 64 (Chu)

Chapter 93, Statutes of 2004

This resolution condemned bigotry and violence. It also directed government officials to work to prevent hate crimes perpetrated against Arab-Americans, Muslim-Americans, South Asian-Americans and Sikh-Americans.

IDENTITY THEFT

AB 1764 (Wayne)

Failed, 2002

This bill would have expanded the scope of the offense of false personation to include sending an electronic communication to another using the e-mail address of the person being impersonated with the intent to injure or defraud.

Cosponsored with the California District Attorneys Association.

AB 1773 (Wayne)

Chapter 908, Statutes of 2002

This bill authorized a district attorney to prosecute a person for the unauthorized use of personal identifying information in either the county where the information was taken or the county where the information was used for an illegal purpose. If the same defendant or defendants used the same personal identifying information belonging to one person in multiple jurisdictions, all of the offenses may be prosecuted in any one of the jurisdictions where the same defendant or defendants used the information for an illegal purpose, or the jurisdiction where the personal identifying information was taken. Cosponsored with the California District Attorneys Association.

AB 424 (Calderon)

Chapter 10, Statutes in 2006

This bill expanded the definition of personal identifying information to include an equivalent form of identification. The bill also expanded the definition of a "person" who could be the victim of identity theft to include a firm, association, organization, partnership, business trust, company, corporation, limited liability company, or public entity.

SB 1699 (Bowen)

Chapter 682, Statutes of 2006

This bill prohibited more than the last five digits of a credit card account number or the expiration date of the card to be printed on an electronically printed receipts or on any transactional document except as necessary to complete the transaction. This bill also prohibited a depository institution from printing more than five digits of an account number on an account statement provided to the account holder.

LAW ENFORCEMENT - MISCELLANEOUS

SB 451 (Schiff)

Failed, 2000

This bill would have required that alleged criminal incidents involving Department of Corrections' employees or agents be immediately reported to the Attorney General's office. Subject to any memorandum of understanding, the Attorney General could have elected to investigate the allegation.

SB 1310 (Vasconcellos)

Chapter 940, Statutes of 2000

This bill allowed all outstanding arrest warrants to be entered into the Department of Justice's Wanted Persons System, a statewide data base. It required DOJ, the state taxing authority, and the State Lottery Commission to examine ways to use the Wanted Persons System to enhance existing tax refund and lottery winnings offset and collection procedures. It further required any state or local government agency, upon request, to provide DOJ, a court, or any California law enforcement agency with the address of any person for whom there is an outstanding arrest warrant.

SB 1751 (Schiff)

Failed, 2000

This bill would have required law enforcement agencies to report juvenile arrest data to the Department of Justice.

SB 1859 (Chesbro)

Chapter 233, Statutes of 2000

This bill eliminated the requirement that law enforcement agencies must notify the Department of Justice of any threat against a public official.

AB 1476 (Dickerson)

Failed, 2001

This bill would have established within the Department of Justice a statewide Unsolved Violent Crime Program to assist local law enforcement in the investigation and resolution of unsolved violent crimes such as homicides, sexual assaults and kidnapping.

LAW ENFORCEMENT - MISCELLANEOUS (continued)

AB 2379 (Frommer)

Failed, 2002

This bill would have required a secondhand dealer, coin dealer, or pawn broker to make all required transaction reports to the Department of Justice's Secondhand Dealer web site beginning 12 months after the web site becomes fully operational, rather than to the chief of police or the sheriff. It also would have required a fingerprint taken by a secondhand dealer or coin dealer of an intended seller and any required reports to be retained for three years.

SB 1739 (Morrow)

Chapter 210, Statutes of 2002

This bill allowed local prosecutors, as well as the Attorney General, to identify participants for the Witness Protection Program and to be responsible for those witnesses. Cosponsored with the California District Attorneys Association.

AB 118 (Frommer)

Failed, 2004

This bill would have authorized the Department of Motor Vehicles to disclose a driver's license applicant's social security account number when complying with a search warrant.

SB 1768 (Romero)

Chapter 510, Statutes of 2004

This bill authorized specified railroad police officers to access the California Law Enforcement Telecommunications System (CLETS).

AB 429 (Chu)

Chapter 467, Statutes of 2005

This bill permitted a law enforcement officer to verbally serve a workplace violence restraining order at the scene of a complaint.

AB 2945 (Spitzer)

Chapter 427, Statutes of 2006

This bill extended to specified multijurisdictional law enforcement task forces the exemption from the Open Meetings Act (Brown Act) provided to multi-jurisdictional drug law enforcement task forces for the purpose of meeting in closed session regarding an ongoing investigation, and it extended the exemption for ongoing investigations to all criminal investigations.

MEDI-CAL FRAUD

SB 1170 (Ortiz)

Failed, 2004

This bill would have streamlined and identified Medi-Cal prescription drug costs by requiring the Department of Health Services to establish, by January 2005, the list of Maximum Allowable Ingredient Costs, which is used to establish Medi-Cal reimbursement rates for pharmaceutical products.

SB 1358 (Escutia)

Chapter 185, Statutes of 2004

This bill authorized agents, investigators, and auditors of the Department of Justice's Bureau of Medi-Cal Fraud and Elder Abuse to inspect the business location of any Medi-Cal provider for the purpose of carrying out the duties of the bureau. The bill also required DOJ to provide each investigator and auditor leading a facility inspection team with prescribed training.

SB 1359 (Brulte)

Chapter 394, Statutes of 2004

This bill required the Department of Health Services (DHS), in conjunction with the Department of Justice, to identify those areas of the fee-for-service Medi-Cal program that are at greatest risk of fraud or abuse. The bill also required DHS to provide a notice to confirm to, and request confirmation of service from, identified recipients of benefits and the referring and rendering providers of benefits under the fee-for-service Medi-Cal program.

SB 1360 (Brulte)

Chapter 395, Statutes of 2004

This bill authorized the Department of Justice to pay a reward for information leading to the recovery of funds paid for services or goods under the Medi-Cal program due to a criminal act or omission.

SB 1361 (Brulte)

Failed, 2004

This bill would have increased from a misdemeanor to an alternate misdemeanor/felony (wobbler) the penalty for willful and knowing obstruction of justice (e.g., making fraudulent statements, falsifying records, concealing evidence) in a Medi-Cal fraud investigation.

MEDI-CAL FRAUD (continued)

SB 1850 (Machado)

Vetoed, 2004

This bill would have required the Department of Health Services to perform a review and, if necessary, a field audit of a Medi-Cal provider for purposes of detecting fraudulent activity and protecting program resources for any calendar month in which the number of out-of-county Medi-Cal recipients served by a provider exceeded a threshold percentage of the total amount of beneficiaries served by that provider.

MISSING PERSONS

SB 1818 (Speier)

Chapter 822, Statutes of 2000

This bill required the Department of Justice to develop a DNA data bank to include profiles from the remains of unidentified deceased persons, to be compared against DNA profiles from samples voluntarily provided by the parents or other relatives of "high-risk missing persons." A high-risk missing person is defined as a person missing as a result of stranger abduction, missing under suspicious circumstances, or who is believed to be in danger or dead. The data bank is to be separate from DOJ's criminal offender DNA data bank.

SB 297 (Speier)

Chapter 467, Statutes of 2001

This bill permitted retention of the DNA evidence in a high-risk missing person case when the coroner or a law enforcement agency has reasonable grounds to suspect the person's death was caused by criminal means or when the evidence is needed for a pending criminal investigation or prosecution. The bill also eliminated civil liability provisions for those who collect, process or store DNA samples, substituting the expanded criminal provisions contained in the DNA and Forensic Identification Data Base and Data Bank Act of 1998 as the appropriate sanction for failure to maintain the confidentiality of DNA identification information.

AB 415 (Runner)

Chapter 517, Statutes of 2002

This bill stated the Legislature's intent that the Governor and the California Highway Patrol (CHP), in consultation with the Department of Justice, implement the use of the Emergency Alert System to perform as an Amber Alert System. When a law enforcement agency is informed of the abduction of a child or disabled person who it determines is in imminent danger, and it has reason to believe the public can assist in his or her safe recovery, it shall activate the system. The bill also required the CHP, in consultation with DOJ, to develop policies and procedures relating to activation of the system and to develop a comprehensive child abduction education program. Cosponsored with the Polly Klaas Foundation.

MISSING PERSONS (continued)

AB 541 (Runner)

Failed, 2004

This bill would have required the Department of Motor Vehicles to design and make available for issuance special interest license plates bearing a design depicting the logo of the California Amber Alert Network. Certain funds generated from the license plates would have been allocated to the State Highway Patrol for the operation of the Amber Alert Program.

AB 940 (Chu)

Chapter 471, Statutes of 2005

This bill extended the January 1, 2006 sunset for the \$2 surcharge on death certificates that funds the Missing Person DNA Program, to continue the \$3 million in annual revenue to DOJ's Missing Persons DNA Database Fund.

SEX OFFENDERS

AB 1193 (Leonard)

Chapter 576, Statutes of 1999

This bill made changes to California's sex offender registration law that were required by federal law in order for California to avoid losing \$5 million dollars in annual crime funding from the federal government. It required that out-of-state sex offenders who work or attend school in California register in California as sex offenders, and it required a minimum registration period of ten years, by extending the period required to obtain a certificate of rehabilitation. The bill also required sex offenders who have more than one residence address to register at each address.

SB 11 (Schiff)

Chapter 136, Statutes of 1999

This bill prohibited a court from dismissing a petition to have an offender declared a sexually violent predator on the basis of a later judicial or administrative determination that his or her custody was unlawful as the result of a good faith mistake of fact or law. Cosponsored with the Los Angeles County District Attorney's Office.

SB 1341 (Figueroa)

Chapter 901, Statutes of 1999

This bill clarified that a juvenile offender who is required to register as a sex offender based on a juvenile adjudication of a serious sex offense is subject to penalties if he or she fails to comply with the registration requirements.

AB 1340 (Honda)

Chapter 648, Statutes of 2000

This bill made technical changes to the immunity provided to law enforcement entities when disclosing information pursuant to Megan's Law, which provides for public notification about persons required to register as sex offenders; added specified sex offenses to the list of crimes subject to notification; allowed a child accompanied by a parent or guardian to view the Megan's Law CD-ROM; and extended the 2001 sunset on Megan's Law.

SEX OFFENDERS (continued)

AB 1742 (Correa)

Chapter 235, Statutes of 2000

This bill extended the statute of limitations in felony sex cases from six to 10 years. It also allowed for the prosecution of these cases beyond that 10-year period if charges are filed within one year of the date on which the perpetrator's identity is established by DNA evidence that was tested in a timely manner.

AB 1784 (Figueroa)

Chapter 657, Statutes of 2000

This law expanded the list of offenses that makes a subsequent violation of the crime of annoying or molesting a child under the age of 18 a felony rather than a misdemeanor.

AB 4 (Bates)

Chapter 544, Statutes of 2001

This bill made changes to California's sex offender registration law to bring the state into compliance with federal law to avoid the loss to California of 10 percent of its total federal crime funds. Specifically, it required that, in addition to registering with the local police or sheriff, a sex offender must register with the campus police of a university, college, community college, or other institution of higher learning within five days of coming onto the campus to live, or within five working days of commencing enrollment or employment there.

SB 552 (Figueroa)

Failed, 2001

This bill would have extended to jurors in Sexually Violent Predator cases the same confidentiality protections as are extended to jurors in criminal cases.

SB 721 (Battin)

Failed, 2001

This bill would have required the Department of Justice to make Megan's Law information about specified sex offender accessible to the public via the Internet. A person applying to view the Internet site would have been required to provide his or her current California driver's license number or California identification card number and his or her current address before being allowed access to the site. Qualified applicants would have been allowed to view information regarding serious and high-risk sex offenders registered in the county in which the applicant resided.

SEX OFFENDERS (continued)

SB 836 (Scott)

Chapter 17, Statutes of 2002

This bill corrected a chaptering error made in 2001 in legislation amending the sex offender registration statute.

AB 2229 (Nation)

Failed, 2002

This bill would have required the Director of Mental Health to provide a committed sexually violent predator with notice of his or her right to petition the court for unconditional release, and it would have provided that if the person did not affirmatively waive his or her right to petition the court for unconditional release, the court would be required to set a show cause hearing.

AB 2794 (Reyes)

Chapter 831, Statutes of 2002

This law expanded the list of sex crimes that requires a person convicted of, and, in some instances, charged with, one of those crimes to submit to a blood test for evidence of HIV or AIDS. This bill also provided that the testing may be done on oral mucosal transudate in addition to blood. Cosponsored with the Alameda County District Attorney's Office.

SB 1965 (Alpert)

Chapter 118, Statutes of 2002

This bill expanded the type of identification a person must present to view the Megan's Law CD-ROM to include a military identification card with proof of California residence. Cosponsored with the San Diego County Board of Supervisors.

AB 1313 (Parra)

Chapter 634, Statutes of 2003

This bill permitted a campus law police department, or, if the campus has no police department, local law enforcement, to release to members of the campus community information regarding the presence of sex offenders on campus. The bill also authorized the Department of Justice to develop a disclosure training program.

SEX OFFENDERS (continued)

SB 903 (Chesbro)

Chapter 27, Statutes of 2003

This bill renamed and reorganized the Statewide Sexual Habitual Offender Program as the Statewide Sexual Predator Apprehension Team.

AB 27 (Parra)

Failed, 2004

This bill would have authorized the Department of Justice to continually compile specified information, categorized by community of residence and zip code, regarding any person required to register as a sex offender. The bill also would have stated the Legislature's intent to consider posting information about sex offenders on the Internet under certain conditions.

AB 488 (Parra)

Chapter 754, in Statutes of 2004

This bill placed Megan's Law information about persons required to register as sex offenders on the Internet through the Attorney General's web site.

AB 1314 (Parra)

Failed, 2004 (but see AB 488, above)

This bill would have placed Megan's Law information about registered sex offenders on an Internet web site maintained by the Department of Justice. It also would have repealed the sunset on Megan's Law.

AB 1937 (Corbett)

Chapter 127, Statutes of 2004

This bill required any state or local governmental agency, upon request, to provide to the Department of Justice, a court, or any California law enforcement agency, the address of any person represented by the requester to be in violation of his duty to register as a sex offender.

AB 2395 (Correa)

Chapter 761, Statutes of 2004

This bill required any person who must register as a sex offender in another state based on a conviction in that state to register as a sex offender if he or she comes to California.

SEX OFFENDERS (continued)

AB 2527 (Frommer)

Chapter 429, Statutes 2004

This bill required sex offenders who are transients to register every 60 days with the city or county in which they are physically present on that date and, if applicable, with the a campus police department. Cosponsored with the California District Attorneys Association.

SB 1289 (Machado)

Chapter 731, Statutes of 2004

This bill clarified sex offender registration requirements, and it clarified that confidentiality provisions of the sex offender registration statute do not preclude making specified information public pursuant to Megan's Law.

SB 865 (Poochigian)

Failed, 2006

This bill would have added continuous sexual abuse of a child and other crimes to the list of "sexually violent offenses" for purposes of the Sexually Violent Predator (SVP) Law. It also would have provided SVP status for juveniles committed to the California Youth Authority by an adult court. Cosponsored with the California District Attorneys Association.

AB 1323 (Vargas)

Chapter 722, Statutes of 2005

This bill made numerous changes to Megan's Law in light of the passage of AB 488 (Parra) in 2004. Among other things, it eliminated duplicative programs, did away with classifications that are no longer necessary, maintained the State's compliance with federal law, and clarified local law enforcement's role in providing information to the public.

AB 439 (Parra)

Chapter 704, Statutes of 2005

This bill required a person required to register as a sex offender who changes his address to inform, in writing within five working days, the law enforcement agency with which he last registered of the new address. If, at the time of the move, the offender does not know his new address, he must send, by registered or certified mail, a notice to the agency within five days of moving into the new address. The bill also clarified that a person required to register as a sex offender is not relieved of the duty to register as a sex offender merely by obtaining a dismissal pursuant to Penal Code section 1203.4. Cosponsored with the Los Angeles District Attorney's Office.

SEX OFFENDERS (continued)

AB 1900 (Lieu)

Chapter 340, Statutes of 2006

This bill prohibited a sex offender whose crime was against a child under 16 years of age from being an employer or independent contractor working in an unaccompanied setting with children.

SB 1128 (Alquist)

Chapter 337, Statutes of 2006

This bill enacted the comprehensive Sex Offender Punishment, Control and Containment Act. Among other things, it created a new crime for using the Internet to prey on children, enhanced penalties for child pornography, adds new crimes to those requiring sex offender registration, added more sex offenders to the Megan's Law web site, set up a system of risk assessments for all sex offenders, created new crimes relating to the sexual abuse of children and lengthened the penalties for existing laws, lengthened parole periods, imposed restrictions on locations at which sex offenders may be present, and made changes to the Sexually Violent Predator law.

TOBACCO

SB 822 (Escutia)

Chapter 780, Statutes of 1999

This bill required any tobacco manufacturer selling cigarettes to consumers in California to either become a participating manufacturer under the terms of the settlement agreement entered into by the state and certain tobacco manufacturers and perform its financial obligations under the settlement, or to place an amount of funds calculated on the basis of units of tobacco products sold into an escrow fund each year.

SB 1510 (Escutia)

Failed, 2000

This bill would have enacted permanent restrictions on the retail sale or distribution of tobacco to ensure that minors have fewer avenues of access to tobacco products. The restrictions would have included a prohibition on self-service displays to sell certain tobacco products, a prohibition on free samples of tobacco products distributed in areas open to the general public, and it imposed a minimum unit size on the sale of tobacco products.

AB 412 (Wesson)

Enacted in SB 757 (Ortiz) Chapter 376, Statutes of 2001

This bill imposed a civil penalty for the sale of cigarettes by means of a self-service display, and it authorized the Attorney General, a city attorney, a county counsel, or a district attorney to bring a civil action to enforce this restriction. The bill also prohibited the non-sale distribution of tobacco on private property that is open to the general public. The bill further imposed an infraction or civil penalty for the manufacturing, distribution, sale, or offering of a package of cigarettes that does not contain at least 20 cigarettes or a package of roll-your-own tobacco that does not contain at least 0.60 ounces of tobacco.

SB 322 (Ortiz)

Chapter 375, Statutes of 2001

This bill prohibited any person from selling, offering for sale, distributing, or importing a tobacco product referred to as a bidi or beedie unless the product is sold, offered for sale, or intended to be sold in a business that excludes minors from its premises.

TOBACCO (continued)

SB 757 (Ortiz)

Chapter 376, Statutes of 2001

This bill authorized the Department of Justice to conduct onsite sting inspections in response to public complaints regarding the sale of tobacco products to minors or at retail locations where previous violations have occurred. It also authorized DOJ to investigate illegal sales of tobacco products to minors by telephone, mail, or the Internet.

AB 1276 (Horton, J)

Failed, 2004

This bill would have required the Attorney General to develop and post on the AG's Internet web site a list of tobacco product manufacturers that have provided current and accurate certifications in accordance with the requirements of the bill. The bill also would have prohibited any tax stamp or meter impression to be affixed unless the tobacco product manufacturer and brand family in question was included on the AG's list.

SB 1173 (Ortiz)

Chapter 812, Statutes of 2004

This bill banned self-service display of all tobacco products and paraphernalia in retail stores with the exception of tobacco stores as defined.

SB 1208 (Ortiz)

Vetoed, 2006

This bill would have banned the shipment and transport of cigarettes (primarily through Internet sales) directly to California consumers. It also would have tightened the definition of "bidis," a banned tobacco product.

VICTIMS

AB 409 (Correa)

Chapter 552, Statutes of 2001

This bill permitted a victim or derivative victim in a capital case to file an application for reimbursement for pecuniary losses with the California Victim Compensation and Government Claims Board beyond the normal period of one year of the date of the crime or the victim attains the age of 18 years if he or she presents documentation that he or she was not informed of the provisions of this program or he or she has received official notification that a date has been set for a parole hearing, clemency hearing, or execution of the perpetrator or perpetrators.

SB 1867 (Figueroa)

Chapter 630, Statutes of 2002

This bill required the California Claims Board to consider, in a case of a victim of domestic abuse or sexual assault, specified factors, such as the victim's age, physical condition, psychological or emotional condition, compelling health or personal safety factors, reasonable fears of retaliation, and cultural or linguistic barriers, in determining whether the victim is eligible for assistance even though he or she participated in the crime or failed to reasonably cooperate with law enforcement in the apprehension and conviction of the perpetrator.

SB 1887 (McPherson)

Chapter 633, Statutes of 2002

This bill amended the ordinarily-applicable statute of limitations within which a victim must initiate a lawsuit against a convicted felon to recover damages from the convicted felon for physical, mental, or emotional injury, or for monetary loss. It provided that an action for damages against a defendant based upon the defendant's commission of a felony offense for which the defendant has been convicted may be commenced within 10 years of the date on which the defendant is discharged from parole, if the conviction was for a specified violent offense.

VICTIMS (continued)

SB 478 (Dunn)

Chapter 630, Statutes of 2003

This bill required that an employer allow an employee who was a victim of a crime, or certain persons who are related to a crime victim or who sustained a pecuniary loss as a result of an injury or death to a crime victim, to be absent from work in order to attend judicial proceedings related to the crime. It prohibited an employer from discharging or in any manner discriminating against an employee because the employee was absent under these circumstances.