

AMENDED IN SENATE JULY 13, 2004

AMENDED IN SENATE JUNE 22, 2004

AMENDED IN SENATE JUNE 9, 2004

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2861**

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**Introduced by Assembly Member Koretz**  
*(Coauthors: Assembly Members Frommer, Leslie, and Samuelian)*

February 20, 2004

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An act to amend Section ~~4071.1~~ 4017.1 of the Penal Code, relating to sentenced persons.

LEGISLATIVE COUNSEL'S DIGEST

AB 2861, as amended, Koretz. Employment of offenders.

Under existing law, prison inmates and persons confined in a county jail, industrial farm, road camp, or city jail, or while performing community service in lieu of a fine or custody, who have been convicted of specified offenses, may not be employed so that they have access to personal information of private individuals, as specified.

This bill would make an exception to this prohibition on employment that permits access to certain personal information to permit adults assigned to work furlough, to have access to driver's licenses and credit cards only for the time needed to complete an immediate transaction.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 4017.1 of the Penal Code is amended to  
2 read:

3 4017.1. (a) Except as provided in paragraph (2), any person  
4 confined in a county jail, industrial farm, road camp, or city jail  
5 who is required or permitted by an order of the board of  
6 supervisors or city council to perform work, and who is described  
7 in subdivision (b), and any person while performing community  
8 service in lieu of a fine or custody, or who is assigned to work  
9 furlough, who is described in subdivision (b), may not be  
10 employed to perform any function that provides access to personal  
11 information of private individuals, including, but not limited to:  
12 addresses; telephone numbers; health insurance, taxpayer, school,  
13 or employee identification numbers; mothers' maiden names;  
14 demand deposit account, debit card, credit card, savings, or  
15 checking account numbers, PINs, or passwords; social security  
16 numbers; places of employment; dates of birth; state or  
17 government issued driver's license or identification numbers;  
18 alien registration numbers; government passport numbers; unique  
19 biometric data, such as fingerprints, facial scan identifiers, voice  
20 prints, retina or iris images, or other similar identifiers; unique  
21 electronic identification numbers; address or routing codes; and  
22 telecommunication identifying information or access devices.

23 (2) Persons assigned to work furlough programs may be  
24 permitted to work in situations that allow them to retain or look at  
25 a driver's license or credit card for no longer than the period of time  
26 needed to complete an immediate transaction. However, no person  
27 assigned to work furlough shall be placed in any position that may  
28 require the deposit of a credit card or driver's license as insurance  
29 or surety.

30 (b) Subdivision (a) shall apply to a person who has been  
31 convicted of an offense described by any of the following  
32 categories:

- 33 (1) An offense involving forgery or fraud.
- 34 (2) An offense involving misuse of a computer.
- 35 (3) An offense for which the person is required to register as a  
36 sex offender pursuant to Section 290.
- 37 (4) An offense involving any misuse of the personal or  
38 financial information of another person.



1 (c) Any person confined in a county jail, industrial farm, road  
2 camp, or city jail who has access to any personal information shall  
3 disclose that he or she is confined before taking any personal  
4 information from anyone.

5 (d) This section shall not apply to inmates in employment  
6 programs or public service facilities where incidental contact with  
7 personal information may occur.

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