

**Assembly Bill No. 313**

\_\_\_\_\_

Passed the Assembly August 30, 2005

\_\_\_\_\_  
*Chief Clerk of the Assembly*

\_\_\_\_\_

Passed the Senate August 25, 2005

\_\_\_\_\_  
*Secretary of the Senate*

\_\_\_\_\_

This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2005, at \_\_\_\_\_ o'clock \_\_\_\_M.

\_\_\_\_\_  
*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to amend Section 14681.5 of the Government Code, relating to parole.

## LEGISLATIVE COUNSEL'S DIGEST

AB 313, Ruskin. Department of Corrections: notice: parole offices.

Existing law requires the Director of Corrections, Director of the Youth Authority, or Director of General Services to notify, in writing, certain state and local officials of any proposed contract to construct, expand, or enter into a lease for, a building in that official's jurisdiction.

This bill would require that written notice to be accompanied by a response form, to be returned by each local official, if the proposed building is a parole office. The local official would be required to return the form with his or her acceptance or objection to the proposed building, within 45 days. The bill would prohibit the applicable department from entering into a contract for constructing, expanding, or leasing a parole office before all response forms are returned, except as specified, and before holding a public hearing on any objections raised.

Because the bill would impose new duties on local officials, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

SECTION 1. Section 14681.5 of the Government Code is amended to read:

14681.5. (a) Whenever the Director of Corrections, the Director of the Youth Authority, or the Director of General

Services acting on behalf of either director, decides either to go out to bid to construct a state building, expand an existing building, expand the use of an existing building, or enter into a lease of an existing building, he or she shall notify in writing, at least 60 days prior to going out to bid or entering into a lease, all of the following officials of his or her intent to construct, expand, or lease the building, along with a description of the location of the building:

(1) Each Member of the Legislature whose district encompasses the location of the building to be constructed, expanded, or leased or whose district encompasses the location of the building to be relocated when the relocation is to another member's district.

(2) The clerk of the county board of supervisors in the county in which the building is to be constructed, expanded, or leased.

(3) If the building is to be constructed, expanded, or leased within a city, the city clerk and the mayor of the city.

(b) In those instances where either the Director of Corrections or the Director of the Youth Authority is exempt from the bidding process, that director, or the Director of General Services if he or she is acting on behalf of either director, shall notify the clerk of the legislative body of the affected agency described in subdivision (a), in writing, at least 60 days prior to the construction, expansion, or lease of a building.

(c) (1) If the building subject to this section is a parole office, the notice required in subdivision (a) shall be accompanied by a form to be returned by each of the persons to whom the notice is sent, on which form the recipient shall indicate his or her approval or objection to the proposed building. If the person indicates an objection to the building, he or she shall include a statement of reasons for the objection. The form shall be returned to the appropriate director within 45 days of the receipt of the notice and form.

(2) No lease may be entered into for a parole office, nor may any construction commence on a parole office before the contracting department receives the form specified in paragraph (1) from each party to whom the notice was sent. However, if the contracting department determines that the notice was in fact received by the appropriate party and the form was not returned within 60 days of that receipt, the contracting department may

presume approval by the entity represented by that person. If an objection is made by any party, the department shall conduct a properly noticed public hearing in the jurisdiction of the proposed parole office to publicly consider the proposal and the objection.

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







Approved \_\_\_\_\_, 2005

---

*Governor*