

ASSEMBLY BILL

No. 1015

Introduced by Assembly Member Chu

February 22, 2005

An act to amend Section 13023 of the Penal Code, relating to hate crimes.

LEGISLATIVE COUNSEL'S DIGEST

AB 1015, as introduced, Chu. Hate crimes.

Existing law provides that the Attorney General shall direct local law enforcement agencies to report to the Department of Justice information relative to hate crime and submit a report to the Legislature annually, analyzing the results of the information obtained.

This bill would require local law enforcement agencies, and in turn, the Department of Justice to report the actual characteristics of hate crime victims.

Because this bill would require local officials to provide a higher level of service, this 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.

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

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

1 SECTION 1. Section 13023 of the Penal Code is amended to
2 read:

3 13023. (a) Subject to the availability of adequate funding, the
4 Attorney General shall direct local law enforcement agencies to
5 report to the Department of Justice, in a manner to be prescribed
6 by the Attorney General, any information that may be required
7 relative to hate crimes, *including the actual characteristics of the*
8 *victims*. This information may include any general orders or
9 formal policies on hate crimes and the hate crime pamphlet
10 required pursuant to Section 422.92.

11 (b) On or before July 1 of each year, the Department of Justice
12 shall submit a report to the Legislature analyzing the results of
13 the information obtained from local law enforcement agencies
14 pursuant to this section, *including the actual characteristics of*
15 *hate crime victims*.

16 (c) For purposes of this section, “hate crime” has the same
17 meaning as in Section 422.55.

18 SEC. 2. If the Commission on State Mandates determines that
19 this act contains costs mandated by the state, reimbursement to
20 local agencies and school districts for those costs shall be made
21 pursuant to Part 7 (commencing with Section 17500) of Division
22 4 of Title 2 of the Government Code.

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