

AMENDED IN ASSEMBLY APRIL 3, 2008

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 2593

Introduced by Assembly Member Adams
(Coauthor: Assembly Member Ma)

February 22, 2008

An act to amend Section 3003.5 of the Penal Code, relating to sex offenders.

LEGISLATIVE COUNSEL'S DIGEST

AB 2593, as amended, Adams. Sex offenders: parole.

Existing law prohibits any person who is required to register as a sex offender from residing ~~within 2,000 feet of any school or park where children regularly gather~~ *in a single family dwelling with any other person also required to register as a sex offender, except under certain circumstances.*

~~This bill would make a technical, nonsubstantive change to that provision.~~

This bill would provide that a city or county may adopt a local ordinance to include a residential facility that serves 6 or fewer persons, including a sober living facility, within the definition of "single family dwelling," for purposes of that provision.

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

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

1 SECTION 1. Section 3003.5 of the Penal Code is amended to
2 read:

1 3003.5. (a) Notwithstanding any other provision of law, when
2 a person is released on parole after having served a term of
3 imprisonment in state prison for any offense for which registration
4 is required pursuant to ~~Section 290~~ *the Sex Offender Registration*
5 *Act*, that person may not, during the period of parole, reside in any
6 single family dwelling with any other person also required to
7 register pursuant to ~~Section 290~~ *the Sex Offender Registration Act*,
8 unless those persons are legally related by blood, marriage, or
9 adoption. For purposes of this section, “single family dwelling”
10 shall not include a residential facility which serves six or fewer
11 persons. *adoption. For purposes of this section, a city or county*
12 *may adopt a local ordinance to include a residential facility that*
13 *serves six or fewer persons, including a sober living facility, within*
14 *the definition of “single family dwelling.”*

15 (b) Notwithstanding any other provision of law, it is unlawful
16 for any person for whom registration is required pursuant to ~~Section~~
17 ~~290~~ *the Sex Offender Registration Act* to reside within 2,000 feet
18 of any public or private school, or park where children regularly
19 gather.

20 (c) Nothing in this section shall prohibit municipal jurisdictions
21 from enacting local ordinances that further restrict the residency
22 of any person for whom registration is required pursuant to ~~Section~~
23 ~~290~~ *the Sex Offender Registration Act*.