

AMENDED IN SENATE JULY 23, 2009

AMENDED IN ASSEMBLY JUNE 1, 2009

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 320

Introduced by Assembly Member Solorio
(Coauthor: Assembly Member Fuentes)
(Coauthors: Senators Benoit and Huff)

February 18, 2009

An act to amend Section 15820.917 of the Government Code, relating to county jails, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 320, as amended, Solorio. County jails: reentry facilities.

Existing law provides state financing for construction of county jails, subject to matching funds from counties, as specified. Existing law requires the Department of Corrections and Rehabilitation and the Corrections Standards Authority to give funding preference for those purposes to counties that assist the state in siting reentry facilities, as specified.

This bill would require the Department of Corrections and Rehabilitation and the Corrections Standards Authority to give coequal funding preference to counties that assist the state in either siting reentry facilities or providing existing beds and program space in county jails for use as reentry facilities. The bill would provide that a county interested in providing reentry services to state inmates shall be required to enter into a long-term agreement with the department to provide

those services and that the department shall certify that the proposed reentry services meet their approval. ~~The bill would provide that the changes made by this act are prospective only.~~

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ~~majority~~^{2/3}. 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 15820.917 of the Government Code is
2 amended to read:

3 15820.917. (a) Participating county matching funds for projects
4 funded under this chapter shall be a minimum of 25 percent of the
5 total project costs. The Corrections Standards Authority (CSA)
6 may reduce matching fund requirements for participating counties
7 with a general population below 200,000 upon petition by a
8 participating county to the CSA requesting a lower level of
9 matching funds.

10 (b) (1) The Department of Corrections and Rehabilitation
11 (CDCR) and CSA shall give coequal funding preference to counties
12 that assist the state in either siting reentry facilities or ~~providing~~
13 ~~existing~~, *subject to the requirements of paragraph (3), providing*
14 *beds and program space in county jails for use as reentry facilities;*
15 *for prison inmates* pursuant to Chapter 9.8 (commencing with
16 Section 6270) of Title 7 of Part 3 of the Penal Code.

17 (2) A county interested in providing reentry services to state
18 inmates shall be required to enter into a long-term agreement with
19 the CDCR to provide those services and the CDCR shall certify
20 that the proposed reentry services meet their approval *and the*
21 *requirements of this subdivision.*

22 (3) *If the following requirements are met, a county shall be*
23 *eligible for funding preference pursuant to this subdivision for*
24 *providing beds and program space in county jails for use as reentry*
25 *facilities for prison inmates:*

26 (A) *The beds and programs meet the reentry program facility*
27 *requirements of Section 6272 of the Penal Code.*

28 (B) *The CDCR develops the collaborative partnership with local*
29 *government, local law enforcement, and community service*
30 *providers as required in Section 6273 of the Penal Code.*

1 (C) *The minimum number of beds in county jails to be used as*
2 *reentry facilities for prison inmates shall be as follows:*

3 (i) *Any county with a general population at or above 500,000*
4 *shall provide 500 jail beds to be designated and used exclusively*
5 *as a reentry facility for prison inmates.*

6 (ii) *Any county with a general population below 500,000 shall*
7 *provide at least as many jail beds to be used as a reentry facility*
8 *for prison inmates as there are county jail beds funded under this*
9 *chapter to be used for county jail inmates.*

10 (D) *Counties may meet the requirements of this paragraph with*
11 *existing jail beds, future jail beds to be constructed with funding*
12 *made available under this chapter, or a combination thereof.*

13 (c) The CDCR shall give funding preference to counties that
14 assist the state in siting mental health day treatment and crisis care,
15 pursuant to Section 3073 of the Penal Code, and to counties that
16 provide a continuum of care so that parolees with mental health
17 and substance abuse needs can continue to receive services at the
18 conclusion of their period of parole.

19 ~~(d) The amendments made to this section in the 2009–10 Regular~~
20 ~~Session by the act that added this subdivision are prospective only~~
21 ~~and not intended to affect any Phase 1 grant awards that were made~~
22 ~~prior to the enactment of this act.~~

23 SEC. 2. *This act is an urgency statute necessary for the*
24 *immediate preservation of the public peace, health, or safety within*
25 *the meaning of Article IV of the Constitution and shall go into*
26 *immediate effect. The facts constituting the necessity are:*

27 *As of July 2009, the prison inmate population totaled nearly*
28 *170,000. A federal three-judge panel has ruled that the California*
29 *prison system must reduce overcrowding by as many as 55,000*
30 *inmates within three years to provide a constitutional level of*
31 *medical and mental health care. In order to provide the prison*
32 *capacity needed, it is necessary that this act take effect*
33 *immediately.*