

AMENDED IN SENATE APRIL 7, 2010

**SENATE BILL**

**No. 1296**

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**Introduced by Senator Correa**

February 19, 2010

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An act to ~~amend Section 1297 of the Penal Code, relating to bail~~ add Section 13515.36 to the Penal Code, relating to peace officer training.

LEGISLATIVE COUNSEL'S DIGEST

SB 1296, as amended, Correa. ~~Bail: deposit claims.~~ *Peace officer training: traumatic brain injury: post-traumatic stress disorder.*

*Existing law provides that the Commission on Peace Officer Standards and Training establish and keep updated various training programs to maintain the level of competence of various law enforcement officers.*

*This bill would require the commission to assess the training needed by peace officers on the topic of returning veterans or other persons suffering from traumatic brain injury (TBI) or post-traumatic stress disorder (PTSD). Should the commission find a need for the training, the bill would require the commission, in consultation with designated entities with expertise in TBI and PTSD, to create and make available a course for peace officers, who are first responders in emergency situations, on how to recognize and interact with persons suffering from TBI or PTSD, as specified. The bill would also require the commission to distribute, as necessary, a training bulletin via the Internet to specified law enforcement agencies on the topics of TBI and PTSD, and to report to the Legislature, no later than June 30, 2012, on the extent to which peace officers are receiving adequate training in how to interact with persons suffering from TBI or PTSD.*

~~Under existing law, when money has been deposited in lieu of bail in satisfaction of any judgment for the payment of a fine, a receipt is~~

issued in the name of the depositor. If the person to whom the receipt was issued was not the defendant, the deposit after judgment shall be returned to that person within 10 days after the person claims it by submitting the receipt, and if a claim is not made within 10 days of the exonerated of the bail, the clerk shall immediately notify the depositor of the exonerated of the bail.

This bill would extend the above time periods relating to claims for deposits after judgment from 10 days to 14 days.

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

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

1     SECTION 1. Section 13515.36 is added to the Penal Code, to  
2     read:  
3     13515.36. (a) The commission shall meet with the Department  
4     of Veterans Affairs and community, local, or other state  
5     organizations and agencies that have expertise in the area of  
6     traumatic brain injury (TBI) and post-traumatic stress disorder  
7     (PTSD) in order to assess the training needed by peace officers,  
8     who are first responders in emergency situations, on the topic of  
9     returning veterans or other persons suffering from TBI or PTSD.  
10    (b) Should the commission determine that there is an unfulfilled  
11    need for training on TBI and PTSD, the commission shall  
12    determine the training format that is both fiscally responsible and  
13    meets the training needs of the greatest number of officers.  
14    (c) Should the commission determine that there is an unfulfilled  
15    need for training on TBI and PTSD, the commission shall, upon  
16    the next regularly scheduled review of a training module relating  
17    to persons with disabilities, create and make available on DVD  
18    and may distribute electronically, or provide by means of another  
19    form or method of training, a course on how to recognize and  
20    interact with returning veterans or other persons suffering from  
21    TBI or PTSD. This course shall be designed for, and made  
22    available to, peace officers who are first responders to emergency  
23    situations.  
24    (d) The training course shall be developed by the commission  
25    in consultation with the Department of Veterans Affairs and  
26    appropriate community, local, or other state organizations and  
27    agencies that have expertise in the area of TBI and PTSD. The

1 *commission shall make the course available to law enforcement*  
2 *agencies in California.*

3 *(e) In addition to the duties contained in subdivisions (a), (b),(c),*  
4 *and (d), the commission shall distribute, as necessary, a training*  
5 *bulletin via the Internet to law enforcement agencies participating*  
6 *in the commission's program on the topic of TBI and PTSD.*

7 *(f) The commission shall report to the Legislature, no later than*  
8 *June 30, 2012, on the extent to which peace officers are receiving*  
9 *adequate training in how to interact with persons suffering from*  
10 *TBI or PTSD.*

11 *(g) (1) The requirement for submitting a report imposed under*  
12 *subdivision (f) is inoperative on June 30, 2016, pursuant to Section*  
13 *10231.5 of the Government Code.*

14 *(2) A report to be submitted pursuant to subdivision (f) shall be*  
15 *submitted in compliance with Section 9795 of the Government*  
16 *Code.*

17 ~~SECTION 1. Section 1297 of the Penal Code is amended to~~  
18 ~~read:~~

19 ~~1297. When money has been deposited, a receipt shall be issued~~  
20 ~~in the name of the depositor. If the money remains on deposit at~~  
21 ~~the time of a judgment for the payment of a fine, the clerk shall,~~  
22 ~~under the direction of the court, if the defendant be the depositor,~~  
23 ~~apply the money in satisfaction thereof, and after satisfying~~  
24 ~~restitution to the victim or the Restitution Fund, fines, and costs,~~  
25 ~~shall refund the surplus, if any, to the defendant. If the person to~~  
26 ~~whom the receipt for the deposit was issued was not the defendant,~~  
27 ~~the deposit after judgment shall be returned to that person within~~  
28 ~~14 days after the person claims it by submitting the receipt, and,~~  
29 ~~if a claim is not made within 14 days of the exoneration of bail,~~  
30 ~~the clerk shall immediately notify the depositor of the exoneration~~  
31 ~~of bail.~~