

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1197

Introduced by Assembly Members Hill and V. Manuel Pérez

February 18, 2011

~~An act relating to prison construction funding.~~ *An act to amend Section 15820.917 of the Government Code, relating to jail construction funding.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1197, as amended, Hill. ~~Prison~~ *Jail facility construction funding.* Existing law authorizes the Department of Corrections and Rehabilitation (CDCR), participating counties, and the State Public Works Board to acquire, design, and construct local jail facilities approved by the Corrections Standards Authority (CSA). Existing law authorizes the State Public Works Board to issue revenue bonds, notes, or bond anticipation notes to finance the acquisition, design, or construction, and a reasonable construction reserve, of approved local jail facilities, as specified. The funds derived from those revenue bonds, notes, or bond anticipation notes are continuously appropriated for the purposes described above. Existing law requires CDCR and CSA to give funding preference to counties that assist the state in siting reentry facilities and requires CDCR to give funding preference to counties that assist the state in siting mental health day treatment and crisis care and to counties that provide a continuum of care so that parolees with mental health and substance abuse needs can continue to receive services at the conclusion of their period of parole. Existing law requires participating county matching funds for projects funded under those

provisions be at a minimum of 25% of the total project costs, except as specified.

The bill would lower the percentage of required participating matching funds from 25% to 10%. The bill would delete the provisions requiring specific funding preferences and instead require that counties that applied for and were awarded funds under specified provisions be funded in that amount and require CDCR and CSA, after those counties have been funded, to give funding preference to counties that committed the largest percentage of inmates to state custody in relation to the total inmate population supervised by CDCR in 2010.

~~Existing law, the Public Safety and Offender Rehabilitation Services Act of 2007, authorizes the Department of Corrections and Rehabilitation to design, construct, or renovate prison housing units, prison support buildings, and programming space in order to add additional beds, to acquire land, design, construct, and renovate reentry program facilities, and to construct and establish new buildings at facilities under the jurisdiction of the department to provide medical, dental, and mental health treatment or housing, as specified.~~

~~This bill would express the intent of the Legislature to enact legislation that would authorize a different purpose for the unallocated portions of the Phase 1 and Phase 2 local jail and reentry funds, as authorized pursuant to the Public Safety and Offender Rehabilitation Services Act of 2007, for jail construction and county jail beds. The bill would also express the intent of the Legislature to enact statutory changes that would eliminate the requirement that counties coordinate a local program with a state reentry facility in order to access local funds provided pursuant to that act. The bill would also express the intent of the Legislature that these proposed statutory changes would be prospective only, and would apply only to county projects and future applicants.~~

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 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~~ 10 percent of
- 5 the total project costs. The CSA may reduce matching fund
- 6 requirements for participating counties with a general population

1 below 200,000 upon petition by a participating county to the CSA
2 requesting a lower level of matching funds.

3 ~~(b) The CDCR and CSA shall give funding preference to~~
4 ~~counties that assist the state in siting reentry facilities, pursuant to~~
5 ~~Section 6270.~~

6 ~~(e) The department shall give funding preference to counties~~
7 ~~that assist the state in siting mental health day treatment and crisis~~
8 ~~care, pursuant to Section 3073 of the Penal Code, and to counties~~
9 ~~who provide a continuum of care so that parolees with mental~~
10 ~~health and substance abuse needs can continue to receive services~~
11 ~~at the conclusion of their period of parole.~~

12 ~~(b) Counties that applied for and were awarded funds pursuant~~
13 ~~to Chapter 3.2.1 (commencing with Section 15819.40) shall be~~
14 ~~funded in that amount.~~

15 ~~(c) After funding counties pursuant to subdivision (b), the CDCR~~
16 ~~and CSA shall give funding preference to counties that committed~~
17 ~~the largest percentage of inmates to state custody in relation to~~
18 ~~the total inmate population supervised by CDCR in 2010.~~

19 ~~SECTION 1. It is the intent of the Legislature to enact~~
20 ~~legislation that would authorize a different purpose for the~~
21 ~~unallocated portions of the Phase 1 and Phase 2 local jail and~~
22 ~~reentry funds, as authorized pursuant to the Public Safety and~~
23 ~~Offender Rehabilitation Services Act of 2007, for jail construction~~
24 ~~and county jail beds. It is the intent of the Legislature to enact~~
25 ~~statutory changes that would eliminate the requirement that~~
26 ~~counties coordinate a local program with a state reentry facility in~~
27 ~~order to access local funds provided pursuant to that act. It is~~
28 ~~further the intent of the Legislature that these proposed statutory~~
29 ~~changes would be prospective only, and would apply only to county~~
30 ~~projects and future applicants.~~