

ASSEMBLY BILL

No. 2626

Introduced by Assembly Member Furutani

February 24, 2012

An act to amend Section 878 of the Penal Code, relating to material witnesses.

LEGISLATIVE COUNSEL'S DIGEST

AB 2626, as introduced, Furutani. Material witnesses.

Existing law provides that on holding the defendant to answer or on a plea of guilty where permitted by law, a magistrate is authorized to take from each of the material witnesses examined before him or her on the part of the people, a written undertaking, to the effect that the person will appear and testify at the court to which the depositions and statements or case are to be sent, or that person will forfeit the sum of \$500.

This bill would make technical, nonsubstantive changes to those provisions.

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 878 of the Penal Code is amended to
- 2 read:
- 3 878. On holding the defendant to answer or on a plea of guilty
- 4 where permitted by law, the magistrate may take from each of the
- 5 material witnesses examined before him *or her* on the part of the
- 6 people a written undertaking, to the effect that ~~he~~ *the witness* will

- 1 appear and testify at the court to which the depositions and
- 2 statements or case are to be sent, or that he *or she* will forfeit the
- 3 sum of five hundred dollars (\$500).

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