

AMENDED IN SENATE MAY 9, 2011
AMENDED IN SENATE APRIL 25, 2011

SENATE BILL

No. 539

Introduced by Senator Price

February 17, 2011

An act to amend Sections ~~2701, 2708~~, 2841, 2859, 2862, 2866, 2872.2, 2873, 2878.1, 2880, 2881, 2881.1, 2882, 2883, 4501, 4503, 4510.1, 4511, 4511.2, 4521.2, 4530, 4531, and 4532 of, and to repeal and amend Section 2847 of, the Business and Professions Code, relating to nursing.

LEGISLATIVE COUNSEL'S DIGEST

SB 539, as amended, Price. Nursing.

(1) Existing law, until January 1, 2012, creates within the Department of Consumer Affairs, the Board of ~~Registered Nursing and a Board of Vocational Nursing and Psychiatric Technicians~~ of the State of California. Existing law, until January 1, 2012, requires ~~those boards~~ *the board* to select an executive officer to perform duties delegated by ~~each~~ *the* board. Under existing law, boards scheduled for repeal are required to be evaluated by the Joint Sunset Review Committee.

This bill would extend the operation of those provisions until January 1, 2016, and would specify that ~~these boards~~ *the board* would be subject to review by the appropriate policy committees of the Legislature.

(2) Existing law requires an applicant for a licensed vocational nurse license or a psychiatric technician's license to have successfully completed specified courses of studies from a school accredited by the Board of Vocational Nursing and Psychiatric Technicians. Existing law requires an employer of a licensed vocational nurse or psychiatric technician to report to the board the suspension or termination for cause

of the licensed vocational nurse or psychiatric technician. *A violation by any person of any of the provisions governing these professions is a misdemeanor.*

This bill would instead require an applicant for a licensed vocational nurse license or a psychiatric technician’s license to have successfully completed specified courses of studies from a school approved by the board. The bill would also require an employer of a licensed vocational nurse or psychiatric technician to report to the board the resignation for cause, *as defined*, of the licensed vocational nurse or psychiatric technician *and would require an employment agency or nursing registry to report to the board the rejection from assignment of the licensed vocational nurse or psychiatric technician. By revising the definition of a crime, this bill would impose a state-mandated local program.*

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 ~~SECTION 1. Section 2701 of the Business and Professions~~
 2 ~~Code is amended to read:~~
 3 ~~2701. (a) There is in the Department of Consumer Affairs the~~
 4 ~~Board of Registered Nursing consisting of nine members.~~
 5 ~~(b) Within the meaning of this chapter, board, or the board,~~
 6 ~~refers to the Board of Registered Nursing. Any reference in state~~
 7 ~~law to the Board of Nurse Examiners of the State of California or~~
 8 ~~California Board of Nursing Education and Nurse Registration~~
 9 ~~shall be construed to refer to the Board of Registered Nursing.~~
 10 ~~(c) This section shall remain in effect only until January 1, 2016,~~
 11 ~~and as of that date is repealed, unless a later enacted statute, that~~
 12 ~~is enacted before January 1, 2016, deletes or extends that date.~~
 13 ~~Notwithstanding any other provision of law, the repeal of this~~
 14 ~~section renders the board subject to review by the appropriate~~
 15 ~~policy committees of the Legislature.~~

1 ~~SEC. 2.~~ Section 2708 of the Business and Professions Code is
2 amended to read:

3 ~~2708. (a) The board shall appoint an executive officer who~~
4 ~~shall perform the duties delegated by the board and who shall be~~
5 ~~responsible to it for the accomplishment of those duties.~~

6 ~~(b) The executive officer shall be a nurse currently licensed~~
7 ~~under this chapter and shall possess other qualifications as~~
8 ~~determined by the board.~~

9 ~~(c) The executive officer shall not be a member of the board.~~

10 ~~(d) This section shall remain in effect only until January 1, 2016,~~
11 ~~and as of that date is repealed, unless a later enacted statute, that~~
12 ~~is enacted before January 1, 2016, deletes or extends that date.~~

13 ~~SEC. 3.~~

14 ~~SECTION 1.~~ Section 2841 of the Business and Professions
15 Code is amended to read:

16 ~~2841. (a) There is in the Department of Consumer Affairs a~~
17 ~~Board of Vocational Nursing and Psychiatric Technicians of the~~
18 ~~State of California, consisting of 11 members.~~

19 ~~(b) Within the meaning of this chapter, “board,” or “the board,”~~
20 ~~refers to the Board of Vocational Nursing and Psychiatric~~
21 ~~Technicians of the State of California.~~

22 ~~(c) This section shall remain in effect only until January 1, 2016,~~
23 ~~and as of that date is repealed, unless a later enacted statute, that~~
24 ~~is enacted before January 1, 2016, deletes or extends that date.~~
25 ~~Notwithstanding any other provision of law, the repeal of this~~
26 ~~section renders the board subject to review by the appropriate~~
27 ~~policy committees of the Legislature.~~

28 ~~SEC. 4.~~

29 ~~SEC. 2.~~ Section 2847 of the Business and Professions Code,
30 as amended by Section 6 of Chapter 33 of the Statutes of 2008, is
31 repealed.

32 ~~SEC. 5.~~

33 ~~SEC. 3.~~ Section 2847 of the Business and Professions Code,
34 as added by Section 6 of Chapter 35 of the Statutes of 2008, is
35 amended to read:

36 ~~2847. (a) The board shall select an executive officer who shall~~
37 ~~perform duties as are delegated by the board and who shall be~~
38 ~~responsible to it for the accomplishment of those duties.~~

39 ~~(b) The person selected to be the executive officer of the board~~
40 ~~shall be a duly licensed vocational nurse under this chapter, a duly~~

1 licensed professional nurse as defined in Section 2725, or a duly
2 licensed psychiatric technician. The executive officer shall not be
3 a member of the board.

4 (c) With the approval of the Director of Finance, the board shall
5 fix the salary of the executive officer.

6 (d) The executive officer shall be entitled to traveling and other
7 necessary expenses in the performance of his or her duties. He or
8 she shall make a statement, certified before a duly authorized
9 person, that the expenses have been actually incurred.

10 (e) This section shall remain in effect only until January 1, 2016,
11 and as of that date is repealed, unless a later enacted statute, that
12 is enacted before January 1, 2016, deletes or extends that date.

13 ~~SEC. 6.~~

14 *SEC. 4.* Section 2859 of the Business and Professions Code is
15 amended to read:

16 2859. The practice of vocational nursing within the meaning
17 of this chapter is the performance of services requiring those
18 technical, manual skills acquired by means of a course in an
19 approved school of vocational nursing, or its equivalent, practiced
20 under the direction of a licensed physician, or registered
21 professional nurse, as defined in Section 2725.

22 A vocational nurse, within the meaning of this chapter, is a
23 person who has met all the legal requirements for a license as a
24 vocational nurse in this state and who for compensation or personal
25 profit engages in vocational nursing as the same is hereinabove
26 defined.

27 ~~SEC. 7.~~

28 *SEC. 5.* Section 2862 of the Business and Professions Code is
29 amended to read:

30 2862. Vocational nursing services may be rendered by a student
31 enrolled in an approved school of vocational nursing when these
32 services are incidental to his or her course of study.

33 ~~SEC. 8.~~

34 *SEC. 6.* Section 2866 of the Business and Professions Code is
35 amended to read:

36 2866. An applicant for a licensed vocational nurse license shall
37 comply with each of the following:

38 (a) Be at least 17 years of age.

1 (b) Have successfully completed at least an approved course of
2 study through the 12th grade or the equivalent thereof as specified
3 by the board.

4 (c) Have successfully completed the prescribed course of study
5 in an approved school of vocational nursing or have graduated
6 from a school which, in the opinion of the board, maintains and
7 gives a course which is equivalent to the minimum requirements
8 for an approved school of vocational nursing in this state.

9 (d) Not be subject to denial of licensure under Section 480.

10 ~~SEC. 9.~~

11 *SEC. 7.* Section 2872.2 of the Business and Professions Code
12 is amended to read:

13 2872.2. An applicant for license by examination shall submit
14 a written application in the form prescribed by the board.

15 Provided that the application for licensure by examination is
16 received by the board no later than four months after completion
17 of a board approved nursing program and approval of the
18 application, the board may issue an interim permit authorizing the
19 applicant to practice vocational nursing pending the results of the
20 first licensing examination, or for a period of nine months,
21 whichever occurs first.

22 If the applicant passes the examination, the interim permit shall
23 remain in effect until an initial license is issued by the board or
24 for a maximum period of six months after passing the examination,
25 whichever occurs first. If the applicant fails the examination, the
26 interim permit shall terminate upon notice by certified mail, return
27 receipt requested, or if the applicant fails to receive the notice,
28 upon the date specified in the interim permit, whichever occurs
29 first.

30 A permittee shall function under the supervision of a licensed
31 vocational nurse or a registered nurse, who shall be present and
32 available on the premises during the time the permittee is rendering
33 professional services. The supervising licensed vocational nurse
34 or registered nurse may delegate to the permittee any function
35 taught in the permittee's basic nursing program.

36 An interim permittee shall not use any title or designation other
37 than vocational nurse interim permittee or "V.N.I.P."

38 *SEC. 8.* Section 2873 of the Business and Professions Code is
39 amended to read:

1 2873. Any person possessing either the education or the
 2 experience, or any combination of both the education and the
 3 experience, equivalent to that acquired in an ~~accredited~~ *approved*
 4 school of vocational nursing may be licensed as a vocational nurse
 5 under the provisions of this chapter, provided that he *or she*
 6 successfully demonstrates to the board that he *or she* possesses
 7 the necessary qualifications, and successfully passes ~~such the~~
 8 examinations or tests as may from time to time be required by the
 9 board.

10 ~~SEC. 10.~~

11 *SEC. 9.* Section 2878.1 of the Business and Professions Code
 12 is amended to read:

13 2878.1. (a) If a licensed vocational nurse has knowledge that
 14 another person has committed any act prohibited by Section 2878,
 15 the licensed vocational nurse shall report this information to the
 16 board in writing and shall cooperate with the board in furnishing
 17 information or assistance as may be required.

18 (b) Any employer of a licensed vocational nurse shall report to
 19 the board the suspension or termination for cause, or resignation
 20 for cause, of any licensed vocational nurse in its employ. In the
 21 case of licensed vocational nurses employed by the state, the report
 22 shall not be made until after the conclusion of the review process
 23 specified in Section 52.3 of the California Code of Regulations
 24 and *Skelly v. State Personnel Bd.* (1975) 15 Cal.3d 194. This
 25 required reporting shall not constitute a waiver of confidentiality
 26 of medical records. The information reported or disclosed shall be
 27 kept confidential except as provided in subdivision ~~(e)~~ (d) and
 28 shall not be subject to discovery in civil cases.

29 (c) *An employment agency or nursing registry shall report to*
 30 *the board the rejection from assignment of a licensed vocational*
 31 *nurse by a health facility or home health care provider due to acts*
 32 *that would be cause for suspension or termination as described*
 33 *in subdivision (d).*

34 ~~(e)~~

35 (d) For purposes of the section, “~~suspension or, termination for~~
 36 ~~cause” or “resignation for cause”,~~ *termination, or resignation for*
 37 *cause” or “rejection from assignment”* are defined as suspension,
 38 termination, or resignation from employment, *or rejection from*
 39 *assignment*, for any of the following reasons:

1 (1) Use of controlled substances or alcohol to the extent that it
2 impairs the licensee’s ability to safely practice vocational nursing.

3 (2) Unlawful sale of a controlled substance or other prescription
4 items.

5 (3) Patient or client abuse, neglect, physical harm, or sexual
6 contact with a patient or client.

7 (4) Falsification of medical records.

8 (5) Gross negligence or incompetence.

9 (6) Theft from patients or clients, other employees, or the
10 employer.

11 ~~(d)~~

12 (e) Failure of an employer to make a report required by this
13 section is punishable by an administrative fine not to exceed ten
14 thousand dollars (\$10,000) per violation.

15 ~~(e)~~

16 (f) Pursuant to Section 43.8 of the Civil Code, no person shall
17 incur any civil penalty as a result of making any report required
18 by this chapter.

19 ~~(f)~~

20 (g) The board shall implement this section contingent upon the
21 necessary funding in the annual Budget Act.

22 ~~(g)~~

23 (h) For purposes of this section, “employer” includes
24 employment agencies and nursing registries.

25 ~~SEC. 11.~~

26 *SEC. 10.* Section 2880 of the Business and Professions Code
27 is amended to read:

28 2880. The board shall prepare and maintain a list of approved
29 schools of vocational nursing in this state whose graduates, if they
30 have the other necessary qualifications provided in this chapter,
31 shall be eligible to apply for a license to practice vocational nursing
32 in this ~~State~~ state.

33 ~~SEC. 12.~~

34 *SEC. 11.* Section 2881 of the Business and Professions Code
35 is amended to read:

36 2881. An approved school of vocational nursing is one which
37 has been approved by the Board of Vocational Nursing and
38 Psychiatric Technicians, gives a course of instruction in vocational
39 nursing of not less than 1530 hours or 50 semester units approved
40 by the board pursuant to Section 2882 whether the same be

1 established by the State Board of Education, other educational
2 institutions, or other public or private agencies or institutions and
3 is affiliated or conducted in connection with one or more hospitals.

4 One hour of instruction for purposes of computing the total hours
5 of instruction or for calculating semester units as specified in this
6 section shall consist of not less than 50 minutes of actual class
7 time.

8 ~~SEC. 13.~~

9 *SEC. 12.* Section 2881.1 of the Business and Professions Code
10 is amended to read:

11 2881.1. The board shall deny the application for approval made
12 by, and shall revoke the approval given to, any school of vocational
13 nursing that does not give to student applicants credit, in the field
14 of nursing, for previous education and the opportunity to obtain
15 credit for other acquired knowledge by the use of challenge
16 examinations or other methods of evaluation.

17 The board shall prescribe, by regulation, the education for which
18 credit is to be given and the amount of credit that is to be given
19 for each type of education, including the amount of credit to be
20 given to a certified nurse assistant, a nurse assistant who has
21 provided direct nursing services in health facilities, and an applicant
22 who has successfully completed equivalent courses offered by a
23 secondary school that is approved by the State Department of
24 Education in any state or by a nationally recognized regional
25 accrediting body. These courses shall be assessed for equivalency
26 by the vocational nursing school.

27 ~~SEC. 14.~~

28 *SEC. 13.* Section 2882 of the Business and Professions Code
29 is amended to read:

30 2882. The course of instruction of an approved school of
31 vocational nursing shall consist of not less than the required number
32 of hours of instruction in such subjects as the board may from time
33 to time by regulation determine, together with the required number
34 of hours in the care of medical, surgical, obstetrical patients, sick
35 children, and such other clinical experience as from time to time
36 may be determined by the board.

37 The board shall, by regulation, provide for the approval of
38 courses of instruction expressed in hours of instruction, or academic
39 units, or which require satisfactory demonstration of skills and
40 behavioral competencies.

1 ~~SEC. 15.~~

2 *SEC. 14.* Section 2883 of the Business and Professions Code
3 is amended to read:

4 2883. It shall be the duty of the board, through an official
5 representative, to inspect all schools of vocational nursing in this
6 state at such times as the board shall deem necessary. Written
7 reports of the representative's visits shall be made to the board,
8 which shall thereupon approve the schools of nursing that meet
9 the requirements provided by the board.

10 Upon receiving the report of the representative, if the board
11 determines that any approved school of vocational nursing is not
12 maintaining the standard required by the board, notice thereof in
13 writing specifying the defect or defects shall be immediately given
14 to the school. If the defects are not corrected within a reasonable
15 time, the school of nursing may be removed from the approved
16 list and notice thereof in writing given to it.

17 ~~SEC. 16.~~

18 *SEC. 15.* Section 4501 of the Business and Professions Code
19 is amended to read:

20 4501. (a) "Board," as used in this chapter, means the Board
21 of Vocational Nursing and Psychiatric Technicians of the State of
22 California.

23 (b) This section shall remain in effect only until January 1, 2016,
24 and as of that date is repealed, unless a later enacted statute, that
25 is enacted before January 1, 2016, deletes or extends that date.

26 ~~SEC. 17.~~

27 *SEC. 16.* Section 4503 of the Business and Professions Code
28 is amended to read:

29 4503. (a) The board shall administer and enforce this chapter.

30 (b) This section shall remain in effect only until January 1, 2016,
31 and as of that date is repealed, unless a later enacted statute, that
32 is enacted before January 1, 2016, deletes or extends that date.

33 ~~SEC. 18.~~

34 *SEC. 17.* Section 4510.1 of the Business and Professions Code
35 is amended to read:

36 4510.1. An applicant for license by examination shall submit
37 a written application in the form prescribed by the board. Provided
38 that the application for licensure is received by the board no later
39 than four months after completion of a board approved psychiatric
40 technician program and approval of the application, the board may

1 issue an interim permit authorizing the applicant to practice all
2 skills included in the permittee's basic course of study, pending
3 the results of the first licensing examination, or for a period of nine
4 months, whichever occurs first.

5 A permittee shall function under the supervision of a licensed
6 psychiatric technician or a registered nurse, who shall be present
7 and available on the premises during the time the permittee is
8 rendering professional services. The permittee may perform any
9 function taught in the permittee's basic psychiatric technician
10 program.

11 If the applicant passes the examination, the interim permit shall
12 remain in effect until an initial license is issued by the board or
13 for a maximum period of six months after passing the examination,
14 whichever occurs first. If the applicant fails the examination, the
15 interim permit shall terminate upon notice by certified mail, return
16 receipt requested, or if the applicant fails to receive the notice,
17 upon the date specified in the interim permit, whichever occurs
18 first. An interim permittee shall not use any title or designation
19 other than psychiatric technician interim permittee or "P.T.I.P."

20 ~~SEC. 19:~~

21 *SEC. 18.* Section 4511 of the Business and Professions Code
22 is amended to read:

23 4511. An applicant for a psychiatric technician's license shall
24 have the following qualifications:

25 (a) Be at least 18 years of age.

26 (b) Have successfully completed an approved general education
27 course of study through the 12th grade or the equivalent thereof
28 as determined by the board.

29 (c) Have successfully completed (1) a prescribed course of study
30 and training in a school approved by the board, which course of
31 study and training shall combine the nursing knowledge and skills
32 necessary for the care of any ill person and in addition those special
33 skills necessary for the care of the mentally disabled and the
34 developmentally disabled, or (2) a course of study and training
35 which, together with previously acquired training or experience,
36 is determined by a school approved by the board to be equivalent
37 in academic credits to its regular program for psychiatric technician
38 training, or (3) have completed a course of study and training which
39 in the opinion of the board is equivalent to the minimum
40 requirements of an approved program for psychiatric technicians

1 in the state. Clinical inpatient experience shall be an integral part
2 of any such prescribed or equivalent course of study and training.

3 (d) Have committed no act which, if committed by a licensed
4 psychiatric technician, would be ground for disciplinary action.

5 ~~SEC. 20.~~

6 *SEC. 19.* Section 4511.2 of the Business and Professions Code
7 is amended to read:

8 4511.2. The board shall deny the application for approval made
9 by, and shall revoke the approval given to, any psychiatric
10 technician school that does not give to student applicants credit,
11 in the fields of nursing and psychiatric technician practice, for
12 previous education and the opportunity to obtain credit for other
13 acquired knowledge by the use of challenge examinations or other
14 methods of evaluation.

15 The board shall prescribe, by regulation, the education for which
16 credit is to be given and the amount of credit that is to be given
17 for each type of education, including the amount of credit to be
18 given to a psychiatric technician assistant, a certified nurse
19 assistant, a nurse assistant who has provided direct nursing services
20 in health facilities, and an applicant who has successfully
21 completed equivalent courses offered by a secondary school that
22 is accredited by the State Department of Education in any state or
23 by a nationally recognized, regional accrediting body. These
24 courses shall be assessed for equivalency by the psychiatric
25 technician school.

26 ~~SEC. 21.~~

27 *SEC. 20.* Section 4521.2 of the Business and Professions Code
28 is amended to read:

29 4521.2. (a) If a psychiatric technician has knowledge that
30 another person has committed any act prohibited by Section 4521,
31 the psychiatric technician shall report this information to the board
32 in writing and shall cooperate with the board in furnishing
33 information or assistance as may be required.

34 (b) Any employer of a psychiatric technician shall report to the
35 board the suspension or termination for cause, or resignation for
36 cause, of any psychiatric technician in their employ. In the case
37 of psychiatric technicians employed by the state, the report shall
38 not be made until after the conclusion of the review process
39 specified in Section 52.3 of Title 2 of the California Code of
40 Regulations and *Skelly v. State Personnel Bd.* (1975) 15 Cal.3d

1 194. The reporting required herein shall not constitute a waiver of
 2 confidentiality of medical records. The information reported or
 3 disclosed shall be kept confidential except as provided in
 4 subdivision ~~(e)~~ (d), and shall not be subject to discovery in civil
 5 cases.

6 (c) *An employment agency or nursing registry shall report to*
 7 *the board the rejection from assignment of a licensed psychiatric*
 8 *technician by a health facility or home health care provider due*
 9 *to acts that would be cause for suspension or termination as*
 10 *described in subdivision (d).*

11 ~~(e)~~
 12 (d) For purposes of this section, “~~suspension or termination for~~
 13 ~~cause~~” or “~~resignation for cause~~”, *termination, or resignation for*
 14 *cause*” or “*rejection from assignment*” are defined as suspension,
 15 termination, or resignation from employment, *or rejection from*
 16 *assignment*, for any of the following reasons:

17 (1) Use of controlled substances or alcohol to such an extent
 18 that it impairs the licensee’s ability to safely practice as a
 19 psychiatric technician.

20 (2) Unlawful sale of controlled substances or other prescription
 21 items.

22 (3) Patient or client abuse, neglect, physical harm, or sexual
 23 contact with a patient or client.

24 (4) Falsification of medical records.

25 (5) Gross negligence or incompetence.

26 (6) Theft from patients or clients, other employees, or the
 27 employer.

28 ~~(d)~~

29 (e) Failure of an employer to make a report required by this
 30 section is punishable by an administrative fine not to exceed ten
 31 thousand dollars (\$10,000) per violation.

32 ~~(e)~~

33 (f) Pursuant to Section 43.8 of the Civil Code, no person shall
 34 incur any civil penalty as a result of making any report required
 35 by this chapter.

36 ~~(f)~~

37 (g) The board shall implement this section contingent upon
 38 necessary funding being provided in the annual Budget Act.

39 ~~(g)~~

1 (h) For purposes of this section, “employer” includes
2 employment agencies and nursing registries.

3 ~~SEC. 22.~~

4 *SEC. 21.* Section 4530 of the Business and Professions Code
5 is amended to read:

6 4530. The board shall prepare and maintain a list of approved
7 schools which offer an approved program for psychiatric
8 technicians.

9 ~~SEC. 23.~~

10 *SEC. 22.* Section 4531 of the Business and Professions Code
11 is amended to read:

12 4531. The course of instruction of an approved school shall
13 consist of not less than the number of hours or semester units of
14 instruction required for the other program administered by the
15 board. The subjects of instruction shall include the principles of
16 the care of the mentally disabled and the developmentally disabled.
17 Clinical inpatient experience shall be an integral part of that
18 prescribed or equivalent course of study and training. The
19 experience shall be obtained in a state hospital, except where the
20 board finds that the requirement is not feasible due either to the
21 distance of a state hospital from the school or the unavailability,
22 as determined by the State Department of Developmental Services
23 or the State Department of Mental Health, of state hospital clinical
24 training placements.

25 ~~SEC. 24.~~

26 *SEC. 23.* Section 4532 of the Business and Professions Code
27 is amended to read:

28 4532. The board shall provide for the periodic inspection of
29 all psychiatric technician schools in this state. Written reports of
30 the inspection shall be made to the board, which shall then approve
31 the schools that meet the standards prescribed by it.

32 If the board determines from a report that any approved school
33 is not maintaining its prescribed standards, it shall immediately
34 give the school a notice in writing specifying the defect. If the
35 defect is not corrected the board shall, after written notice, remove
36 the school from the approved list.

37 *SEC. 24.* *No reimbursement is required by this act pursuant*
38 *to Section 6 of Article XIII B of the California Constitution because*
39 *the only costs that may be incurred by a local agency or school*
40 *district will be incurred because this act creates a new crime or*

1 *infraction, eliminates a crime or infraction, or changes the penalty*
2 *for a crime or infraction, within the meaning of Section 17556 of*
3 *the Government Code, or changes the definition of a crime within*
4 *the meaning of Section 6 of Article XIII B of the California*
5 *Constitution.*

O