

**Introduced by Senator Anderson**

February 24, 2012

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An act to amend Section 3000.08 of the Penal Code, relating to parole.

LEGISLATIVE COUNSEL'S DIGEST

SB 1398, as introduced, Anderson. Parole: supervision.

Existing law, operative until July 1, 2013, provides that prisoners released from state prison after serving a prison term for specified felonies shall be subject to the jurisdiction of, and parole supervision by, the Department of Corrections and Rehabilitation. Existing law, operative July 1, 2013, provides that persons released from state prison prior to or on or after July 1, 2013 after serving a prison term for specified felonies shall be subject to parole supervision by the department and to the jurisdiction of the court in the county where the parolee is released or resides for the purpose of hearing petitions to revoke parole and impose a term of custody.

This bill would make technical, nonsubstantive changes to these 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 3000.08 of the Penal Code, as amended
- 2 by Section 17 of Chapter 12 of the First Extraordinary Session of
- 3 the Statutes of 2011, is amended to read:
- 4 3000.08. (a) Persons released from state prison on or after
- 5 October 1, 2011, after serving a prison term, or; whose sentence
- 6 has been deemed served pursuant to Section 2900.5, for any of the

1 following crimes shall be subject to the jurisdiction of, and parole  
2 supervision by, the Department of Corrections and Rehabilitation:

3 (1) A serious felony as described in subdivision (c) of Section  
4 1192.7.

5 (2) A violent felony as described in subdivision (c) of Section  
6 667.5.

7 (3) A crime for which the person was sentenced pursuant to  
8 paragraph (2) of subdivision (e) of Section 667 or paragraph (2)  
9 of subdivision (c) of Section 1170.12.

10 (4) Any crime where the person eligible for release from prison  
11 is classified as a High Risk Sex Offender.

12 (5) Any crime where the person is required, as a condition of  
13 parole, to undergo treatment by the *State* Department of Mental  
14 Health pursuant to Section 2962.

15 (b) Notwithstanding any other provision of law, all other  
16 offenders released from prison shall be placed on postrelease  
17 supervision pursuant to Title 2.05 (commencing with Section  
18 3450).

19 (c) Notwithstanding subdivision (a), any of the following  
20 persons released from state prison shall be subject to the  
21 jurisdiction of, and parole supervision by, the Department of  
22 Corrections and Rehabilitation for a period of parole up to three  
23 years or the parole term the person was subject to at the time of  
24 the commission of the offense, whichever is greater:

25 (1) The person is required to register as a sex offender pursuant  
26 to Chapter 5.5 (commencing with Section 290) of Title 9 of Part  
27 1, and was subject to a period of parole exceeding three years at  
28 the time he or she committed a felony for which ~~they were~~ *he or*  
29 *she was* convicted and subsequently sentenced to state prison.

30 (2) The person was subject to parole for life pursuant to Section  
31 3000.1 at the time of the commission of the offense that resulted  
32 in a conviction and state prison sentence.

33 (d) Except as described in subdivision (c), any person who is  
34 convicted of a felony that requires community supervision and  
35 who still has a period of state parole to serve shall discharge from  
36 state parole at the time of release to community supervision.

1 (e) This section shall *remain* operative only until July 1, 2013,  
2 and as of January 1, 2014, is repealed, unless a later enacted statute,  
3 that is enacted before January 1, 2014, deletes or extends that date.

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