

ASSEMBLY BILL

No. 465

Introduced by Assembly Member Maienschein

February 19, 2013

An act to add Section 11105.07 to the Penal Code, relating to criminal history.

LEGISLATIVE COUNSEL'S DIGEST

AB 465, as introduced, Maienschein. Youth sports: criminal background checks.

Existing law authorizes specified entities to receive state summary criminal history information from the Department of Justice. Existing law also requires mandated reporters, as defined, to report child abuse and neglect to local law enforcement.

This bill would require the department to provide state summary criminal history information to the director of a community youth athletics program, or his or her designee, for the purposes of screening volunteer or hired coaches and would prohibit a person from having access to minors as a coach or volunteer until the community youth athletics program has received and reviewed the state summary criminal history information. The bill would state that performing the required background check does not remove or limit the liability of a mandated reporter.

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

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

1 SECTION 1. Section 11105.07 is added to the Penal Code, to
2 read:
3 11105.07. (a) In addition to furnishing state summary criminal
4 history information to the persons and entities set forth in Section
5 11105 and subject to the requirements and conditions set forth in
6 that section, the Attorney General shall furnish state summary
7 criminal history information to the director of a community youth
8 athletics program, or his or her designee, for the purposes of
9 screening volunteer or hired coaches. No recipient may disclose
10 the contents on the state summary criminal history information or
11 provide copies of information. Information received shall be stored
12 in a locked file, separate from other files, and shall only be
13 accessible to the custodian of records.
14 (b) A person may not have access to minors as a volunteer or
15 hired coach until the community youth athletics program has
16 received and reviewed the state summary criminal history
17 information relating to that person. Violation of this subdivision
18 is not a crime.
19 (c) Compliance with this section does not remove or limit the
20 liability of a mandated reporter pursuant to Section 11166.

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