

AMENDED IN ASSEMBLY JANUARY 6, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 474

Introduced by Assembly Member Stone

February 19, 2013

An act to amend Section ~~16516.5~~ of the ~~Welfare and Institutions~~ ~~30324~~ of the *Public Resources* Code, relating to ~~child welfare services~~ *coastal resources*.

LEGISLATIVE COUNSEL'S DIGEST

AB 474, as amended, Stone. ~~Child welfare services. California Coastal Commission: ex parte communications: disclosure forms.~~

Existing law, the California Coastal Act of 1976, establishes the California Coastal Commission and prohibits a member of the commission from conducting an ex parte communication unless the commission member fully discloses and makes public the ex parte communication, as specified. The act further requires the commission to adopt standard disclosure forms for reporting ex parte communications that include specified information relating to the date, time, and location of the communication, the identity of the person or persons initiating and the person receiving the communication, and a complete description of the content of the communication.

This bill would revise the information to be included in those standard disclosure forms to also include the identity of the person on whose behalf the communication was made, the identity of all persons present during the communication, and a complete, comprehensive description of the content of the ex parte communication, including a complete set of all text and graphic material that was part of the communication.

~~Existing law requires that all foster children placed in group homes by county welfare departments or county probation departments be visited at least monthly by a county social worker or probation officer, and specifies the funding sources for these monthly visits.~~

~~This bill would make a nonsubstantive change to that funding provision.~~

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 30324 of the Public Resources Code is*
2 *amended to read:*

3 30324. (a) No commission member, nor any interested person,
4 shall conduct an ex parte communication unless the commission
5 member fully discloses and makes public the ex parte
6 communication by providing a full report of the communication
7 to the executive director within seven days after the communication
8 or, if the communication occurs within seven days of the next
9 commission hearing, to the commission on the record of the
10 proceeding at that hearing.

11 (b) (1) The commission shall adopt standard disclosure forms
12 for reporting ex parte communications which shall include, but
13 not be limited to, all of the following information:

14 (A) The date, time, and location of the communication.

15 (B) (i) The identity of the person or persons initiating and the
16 person or persons receiving the communication.

17 ~~(C) A complete description of the content of the communication,~~
18 ~~including the complete text of any written material that was a part~~
19 ~~of the communication.~~

20 (ii) *The identity of the person on whose behalf the*
21 *communication was made.*

22 (iii) *The identity of all persons present during the*
23 *communication.*

24 (C) *A complete, comprehensive description of the content of the*
25 *ex parte communication, including a complete set of all text and*
26 *graphic material that was part of the communication.*

27 (2) The executive director shall place in the public record any
28 report of an ex parte communication.

1 (c) Communications shall cease to be ex parte communications
2 when fully disclosed and placed in the commission's official
3 record.

4 ~~SECTION 1. Section 16516.5 of the Welfare and Institutions~~
5 ~~Code is amended to read:~~

6 ~~16516.5. (a) Notwithstanding any other provision of law or~~
7 ~~regulation, all foster children placed in group homes by county~~
8 ~~welfare departments or county probation departments shall be~~
9 ~~visited at least monthly by a county social worker or probation~~
10 ~~officer. Each visit shall include a private discussion between the~~
11 ~~foster child and the county social worker or probation officer. The~~
12 ~~discussion shall not be held in the presence or immediate vicinity~~
13 ~~of the group home staff. The contents of the private discussion~~
14 ~~shall not be disclosed to the group home staff, except that the social~~
15 ~~worker or probation officer may disclose information under any~~
16 ~~of the following circumstances:~~

17 ~~(1) The social worker or probation officer believes that the foster~~
18 ~~child may be in danger of harming himself or herself, or others.~~

19 ~~(2) The social worker or probation officer believes that~~
20 ~~disclosure is necessary to meet the needs of the child.~~

21 ~~(3) The child consents to disclosure of the information.~~

22 ~~(b) (1) Before the 2011-12 fiscal year, notwithstanding Section~~
23 ~~10101, the state shall pay 100 percent of the nonfederal costs~~
24 ~~associated with the monthly visitation requirement in subdivision~~
25 ~~(a) in excess of the minimum semiannual visits required under~~
26 ~~current regulations.~~

27 ~~(2) Notwithstanding subdivision (b), beginning in the 2011-12~~
28 ~~fiscal year, and for each fiscal year thereafter, funding and~~
29 ~~expenditures for programs and activities under this section shall~~
30 ~~be in accordance with the requirements provided in Sections 30025~~
31 ~~and 30026.5 of the Government Code.~~