

AMENDED IN SENATE JULY 2, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 723**

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**Introduced by Assembly Member Quirk  
(Coauthor: Assembly Member Skinner)**

February 21, 2013

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An act to add Section 3455.01 to the Penal Code, relating to postrelease community supervision.

LEGISLATIVE COUNSEL'S DIGEST

AB 723, as amended, Quirk. Postrelease community supervision: revocation: release on ~~bail~~ *bail or own recognizance*.

Existing law requires that persons released from prison after serving a prison term for a felony, with exceptions, be released into postrelease community supervision for a period not exceeding 3 years. Existing law provides for immediate, structured, and intermediate sanctions to punish violations of an offender's conditions of postrelease supervision. Existing law allows the revocation of postrelease supervision by a revocation hearing officer appointed by the court upon a finding that the person has violated the conditions of postrelease supervision.

This bill would allow a person on postrelease supervision who has a revocation petition filed against him or her to file an application for *bail or release on his or her own recognizance* with the superior court. The bill would provide that *bail or own recognizance release* pending revocation of postrelease community supervision is a matter within the sole discretion of the court. The bill would require ~~a bail~~ *an application for bail or own recognizance release* made pursuant to these provisions to be governed by the procedures set forth in existing law for the taking of *bail and granting of own recognizance release* and would state that

its provisions do not prohibit a court from making any order authorized by those provisions.

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 3455.01 is added to the Penal Code, to
- 2 read:
- 3 3455.01. (a) A person subject to postrelease community
- 4 supervision who has had a revocation petition filed against him or
- 5 her by the county agency responsible for postrelease community
- 6 supervision pursuant to subdivision (a) of Section 3455 may file
- 7 an application for bail *or release on his or her own recognizance*
- 8 with the superior court.
- 9 (b) Admittance to bail *or own recognizance release* pending
- 10 revocation of postrelease community supervision is a matter within
- 11 the sole discretion of the court.
- 12 (c) ~~A bail~~ *An application for bail or own recognizance release*
- 13 made pursuant to this section shall be governed by the procedures
- 14 set forth in Chapter 1 (commencing with Section 1268) of Title
- 15 10 of Part 2.
- 16 (d) This section does not prohibit a court from making any order
- 17 authorized by Chapter 1 (commencing with Section 1268) of Title
- 18 10 of Part 2.