

ASSEMBLY BILL

No. 2124

Introduced by Assembly Member Lowenthal

February 20, 2014

An act to amend Section 1001.50 of the Penal Code, relating to pretrial diversion programs.

LEGISLATIVE COUNSEL'S DIGEST

AB 2124, as introduced, Lowenthal. Misdemeanor offenses: pretrial diversion program.

Existing law authorizes a county to establish a pretrial diversion programs for defendants who have been charged with a misdemeanor offense.

This bill would make technical, nonsubstantive changes to this provision.

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 1001.50 of the Penal Code is amended
- 2 to read:
- 3 1001.50. (a) Notwithstanding any other ~~provision~~ of law, this
- 4 chapter shall become operative in a county only if the board of
- 5 supervisors adopts the provisions of this chapter by ordinance.
- 6 (b) The district attorney of each county shall review annually
- 7 any diversion program established pursuant to this chapter, and
- 8 ~~no~~ the program shall *not* continue without the approval of the
- 9 district attorney. ~~No~~ A person shall *not* be diverted under a program

1 unless it has been approved by the district attorney. ~~Nothing in~~
2 ~~this~~ *This* subdivision ~~shall~~ *does not* authorize the prosecutor to
3 determine whether a particular defendant shall be diverted.

4 (c) As used in this chapter, “pretrial diversion” means the
5 procedure of postponing prosecution either temporarily or
6 permanently at any point in the judicial process from the point at
7 which the accused is charged until adjudication.