

**ASSEMBLY BILL**

**No. 2477**

---

---

**Introduced by Assembly Member Gorell**

February 21, 2014

---

---

An act to amend Section 3010.10 of the Penal Code, relating to parole.

LEGISLATIVE COUNSEL'S DIGEST

AB 2477, as introduced, Gorell. Parole.

Existing law, subject to exceptions, prohibits a person required to register as a sex offender from removing or disabling an electronic monitoring device, or permitting another to do so, if the device is a condition of parole. A violation of these provisions requires the parole authority to revoke the person's parole and to require incarceration of the person in a county jail for 180 days.

This bill would extend these provisions to a person convicted of a violent felony who is released on parole from the state prison.

By increasing the incarceration duties of local jail facilities, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

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

1 SECTION 1. Section 3010.10 of the Penal Code is amended  
2 to read:

3 3010.10. (a) A person *convicted of a violent felony as*  
4 *described in subdivision (c) of Section 667.5 who is released from*  
5 *prison on parole or a person who is required to register as a sex*  
6 *offender pursuant to Section 290 shall not remove or disable, or*  
7 *permit another to remove or disable, an electronic, global*  
8 *positioning system (GPS), or other monitoring device affixed to*  
9 *his or her person as a condition of parole, when he or she knows*  
10 *that the device was affixed as a condition of parole.*

11 (b) (1) This section shall not apply if the removal or disabling  
12 of an electronic, GPS, or other monitoring device is performed by  
13 a physician, emergency medical services technician, or by any  
14 other emergency response or medical personnel when doing so is  
15 necessary during the course of medical treatment of the person  
16 subject to the electronic, GPS, or other monitoring device.

17 (2) This section shall not apply if the removal or disabling of  
18 the electronic, GPS, or other monitoring device is authorized or  
19 required by a court, or by the law enforcement, probation, parole  
20 authority, or other entity responsible for placing the electronic,  
21 GPS, or other monitoring device upon the person, or that has, at  
22 the time, the authority and responsibility to monitor the electronic,  
23 GPS, or other monitoring device.

24 (c) Upon a violation of this section, the parole authority shall  
25 revoke the person’s parole and require that he or she be incarcerated  
26 in the county jail for a period of 180 days.

27 SEC. 2. If the Commission on State Mandates determines that  
28 this act contains costs mandated by the state, reimbursement to  
29 local agencies and school districts for those costs shall be made  
30 pursuant to Part 7 (commencing with Section 17500) of Division  
31 4 of Title 2 of the Government Code.

O