

AMENDED IN ASSEMBLY AUGUST 27, 2013

**SENATE BILL**

**No. 105**

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**Introduced by Committee on Budget and Fiscal Review**

January 10, 2013

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*An act relating to the Budget Act of 2013; to amend Section 15 of Chapter 42 of the Statutes of 2012, to amend, repeal, and add Sections 19050.2 and 19050.8 of the Government Code, and to amend, repeal, and add Sections 2910, 11191, and 13602 of, and to add and repeal Sections 2915 and 6250.2 of, the Penal Code, relating to corrections, and making an appropriation therefor, to take effect immediately, bill related to the budget.*

LEGISLATIVE COUNSEL'S DIGEST

SB 105, as amended, Committee on Budget and Fiscal Review. ~~Budget Act of 2013.~~ *Corrections.*

*(1) Existing law requires the Department of Corrections and Rehabilitation to close the California Rehabilitation Center located in Norco, California, no later than either December 31, 2016, or 6 months after the construction of three Level II dorm facilities.*

*This bill would suspend this requirement pending a review by the Department of Finance and the Department of Corrections and Rehabilitation that determines the facility can be closed.*

*(2) The California Constitution establishes the civil service, to include every officer and employee of the state, except as provided, and requires permanent appointment and promotion in the civil service to be made under a general system based on merit ascertained by competitive examination.*

*Existing law requires the appointing power in all cases not exempted by the California Constitution to fill positions by appointment, including*

*cases of transfers, reinstatements, promotions, and demotions, in strict accordance with specified provisions of law, and requires that appointments to vacant positions be made from employment lists.*

*Existing law, subject to the approval of the State Personnel Board, allows an appointing agency to enter into arrangements with personnel agencies in other jurisdictions for the purpose of exchanging services and effecting transfers of employees.*

*This bill would, until January 1, 2017, make the private California City Correctional Center in California City an agency or jurisdiction for the purpose of exchanging services pursuant to the above provision and all related rules.*

*(3) Existing law allows the State Personnel Board to prescribe rules governing the temporary assignment or loan of employees within an agency or between agencies not to exceed 2 years, or between jurisdictions not to exceed 4 years, for specified purposes.*

*This bill would, until January 1, 2017, make the private California City Correctional Center in California City an agency or jurisdiction for the purpose of the above provision and all related rules for a period not to exceed 2 years.*

*(4) Existing law allows the Secretary of the Department of Corrections and Rehabilitation to enter into an agreement with a city, county, or city and county, to permit transfer of prisoners in the custody of the secretary to a jail or other adult correctional facility. Under existing law, prisoners transferred to a local facility remain under the legal custody of the department. Existing law prohibits any agreement pursuant to these provisions unless the cost per inmate in the facility is no greater than the average costs of keeping an inmate in a comparable facility of the department.*

*This bill would, until January 1, 2017, for purposes of entering into agreements pursuant to the above provisions, waive any process, regulation, or requirement relating to entering into those agreements. The bill would, until January 1, 2017, delete the provision requiring that prisoners transferred to a local facility remain under the legal custody of the department and would delete the requirement that no agreement be entered into unless the cost per inmate in the facility is no greater than the average costs of keeping an inmate in a comparable facility of the department. The bill would, until January 1, 2017, allow a transfer of prisoners to include inmates who have been sentenced to the department but remain housed in a county jail, and would specify that these prisoners shall be under the sole legal custody and jurisdiction*

*of the sheriff or other official having jurisdiction over the facility and not under the legal custody and jurisdiction of the department.*

*The bill would also, until January 1, 2017, allow the secretary to enter into one or more agreements in the form of a lease or operating agreement with private entities to obtain secure housing capacity in the state or in another state, upon terms and conditions deemed necessary and appropriate to the secretary. The bill would, until January 1, 2017, waive any process, regulation, or requirement that relates to the procurement or implementation of those agreements, except as specified. The bill would make the provisions of the California Environmental Quality Act inapplicable to these provisions.*

*(5) Existing law allows the Secretary of the Department of Corrections and Rehabilitation to establish and operate community correctional centers.*

*This bill would, until January 1, 2017, allow the secretary to enter into agreements for the transfer of prisoners to community correctional centers, and to enter into contracts to provide housing, sustenance, and supervision for inmates placed in community correctional centers. The bill would, until January 1, 2017, waive any process, regulation, or requirement that relates to entering into those agreements.*

*(6) Existing law allows any court or other agency or officer of this state having power to commit or transfer an inmate to any institution for confinement to commit or transfer that inmate to any institution outside this state if this state has entered into a contract or contracts for the confinement of inmates in that institution and the inmate, if he or she was sentenced under California law, has executed written consent to the transfer.*

*This bill would, until January 1, 2017, allow the secretary to transfer an inmate to a facility in another state without the consent of the inmate.*

*(7) Existing law establishes the Commission on Correctional Peace Officer Standards and Training (CPOST) within the Department of Corrections and Rehabilitation and requires the CPOST to develop, approve, and monitor standards for the selection and training of state correctional peace officers. Existing law allows for the use of training academies and centers, as specified.*

*This bill would, until January 1, 2017, allow the department to use a training academy established for the private California City Correctional Center.*

*(8) The bill would appropriate \$315,000,000 from the General Fund to the Department of Corrections and Rehabilitation for the purposes*

*of this measure. The bill would require the Secretary of the Department of Corrections and Rehabilitation to report no later than April 15, 2014, and again on April 15, 2015, to the Director of Finance and specified legislative committees detailing the number of inmates housed in leased beds and in contracted beds both inside and outside of the state pursuant to this measure.*

*The bill would require the Administration to assess the state prison system, including capacity needs, prison population levels, recidivism rates, and factors effecting crime levels. The bill would require the Department of Finance to report to the Legislature regarding balanced solutions that are cost effective and protect public safety not later than January 10, 2015.*

*(9) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.*

~~This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2013.~~

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

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

1     *SECTION 1. The additional prison capacity authorized by this*  
 2 *bill is an immediate measure to avoid early release of inmates and*  
 3 *allow the state to comply with the federal court order. The measure*  
 4 *will also provide time to develop additional thoughtful, balanced*  
 5 *and effective long-term solutions with input from our local*  
 6 *government and justice partners who are still adjusting to the*  
 7 *recent criminal justice reforms of realignment. The long-term*  
 8 *changes will build upon the transition of lower level offenders to*  
 9 *local jurisdiction, the construction of new prison health care*  
 10 *facilities, and improvements to existing health care facilities*  
 11 *throughout the prison system. The administration shall begin*  
 12 *immediately, in consultation with stakeholders, including*  
 13 *appropriate legislative committees, to assess the state prison*  
 14 *system, including capacity needs, prison population levels,*  
 15 *recidivism rates, and factors affecting crime levels. Not later than*  
 16 *January 10, 2015, the Department of Finance shall develop and*  
 17 *report to the Legislature regarding balanced solutions that are*  
 18 *cost effective and protect public safety.*

1     *SEC. 2. Section 15 of Chapter 42 of the Statutes of 2012 is*  
2     *amended to read:*

3     *Sec. 15. (a) The Department of Corrections and Rehabilitation*  
4     *shall remove all inmates from, cease operations of, and close the*  
5     *California Rehabilitation Center located in Norco, California, no*  
6     *later than either December 31, 2016, or six months after*  
7     *construction of the three Level II dorm facilities authorized in*  
8     *Section 14 of this act, whichever is earlier.*

9     *(b) This requirement is hereby suspended pending a review by*  
10    *the Department of Finance and the Department of Corrections*  
11    *and Rehabilitation that determines the facility can be closed.*  
12    *Closure of the facility shall not occur sooner than 30 days after*  
13    *notification in writing to the Chair of the Joint Legislative Budget*  
14    *Committee.*

15    *SEC. 3. Section 19050.2 of the Government Code is amended*  
16    *to read:*

17    19050.2. (a) Subject to the approval of the board, the  
18    appointing authority may enter into arrangements with personnel  
19    agencies in other jurisdictions for the purpose of exchanging  
20    services and effecting transfers of employees.

21    (b) For purposes of this section, and all related rules, the  
22    California City Correctional Center in California City is an agency  
23    or jurisdiction for the duration of the two-year period described  
24    in Section 19050.8.

25    (c) This section shall remain in effect only until January 1, 2017,  
26    and as of that date is repealed, unless a later enacted statute, that  
27    is enacted before January 1, 2017, deletes or extends that date.

28    *SEC. 4. Section 19050.2 is added to the Government Code, to*  
29    *read:*

30    19050.2. (a) Subject to the approval of the board, the  
31    appointing authority may enter into arrangements with personnel  
32    agencies in other jurisdictions for the purpose of exchanging  
33    services and effecting transfers of employees.

34    (b) This section shall become operative on January 1, 2017.

35    *SEC. 5. Section 19050.8 of the Government Code is amended*  
36    *to read:*

37    19050.8. The board may prescribe rules governing the  
38    temporary assignment or loan of employees within an agency or  
39    between agencies for a period not to exceed two years or between

1 jurisdictions for *a period* not to exceed four years for any of the  
2 following purposes:

- 3 (a) To provide training to employees.
- 4 (b) To enable an agency to obtain expertise needed to meet a  
5 compelling program or management need.
- 6 (c) To facilitate the return of injured employees to work.

7 These temporary assignments or loans shall be deemed to be in  
8 accord with this part limiting employees to duties consistent with  
9 their class and may be used to meet minimum requirements for  
10 promotional as well as open examinations. An employee  
11 participating in that arrangement shall have the absolute right to  
12 return to his or her former position. Any temporary assignment or  
13 loan of an employee made for the purpose specified in subdivision  
14 (b) shall be made only with the voluntary consent of the employee.

15 In addition, out-of-class experience obtained in a manner not  
16 described in this section may be used to meet minimum  
17 requirements for promotional as well as open examinations, only  
18 if it was obtained by the employee in good faith and was properly  
19 verified under standards prescribed by board rule.

20 For purposes of this section, a temporary assignment or loan  
21 between educational agencies or jurisdictions shall be extended  
22 for up to two additional years upon a finding by the Superintendent  
23 of Public Instruction or the Chancellor of the California  
24 Community Colleges, and with the approval of the Executive  
25 Officer of the State Personnel Board, that the extension is necessary  
26 in order to substantially complete work on an educational  
27 improvement project. However, the temporary assignment of any  
28 local educator who is performing the duties of a nonrepresented  
29 classification while on loan to a ~~state-education~~ *educational* agency  
30 may be extended for as many successive two year intervals as  
31 necessary by the Superintendent of Public Instruction or the  
32 Chancellor of the California Community Colleges with the  
33 concurrence of the ~~education~~ *educational* agency or jurisdiction.  
34 Public and private colleges and universities shall be considered  
35 educational agencies or jurisdictions within the meaning of this  
36 section.

37 A temporary assignment within an agency or between agencies  
38 may be extended by the board for up to two additional years in  
39 order for an employee to complete an apprenticeship program.

1 (d) For the duration of a temporary assignment or loan not to  
2 exceed two years, for the purposes of this section and all related  
3 rules, the California City Correctional Center in California City,  
4 which provides services equivalent to the core governmental  
5 function of incarcerating inmates, shall be considered an agency  
6 or jurisdiction.

7 (e) This section shall remain in effect only until January 1, 2017,  
8 and as of that date is repealed, unless a later enacted statute, that  
9 is enacted before January 1, 2017, deletes or extends that date.

10 SEC. 6. Section 19050.8 is added to the Government Code, to  
11 read:

12 19050.8. The board may prescribe rules governing the  
13 temporary assignment or loan of employees within an agency or  
14 between agencies for a period not to exceed two years or between  
15 jurisdictions for a period not to exceed four years for any of the  
16 following purposes:

17 (a) To provide training to employees.

18 (b) To enable an agency to obtain expertise needed to meet a  
19 compelling program or management need.

20 (c) To facilitate the return of injured employees to work.

21 These temporary assignments or loans shall be deemed to be in  
22 accord with this part limiting employees to duties consistent with  
23 their class and may be used to meet minimum requirements for  
24 promotional as well as open examinations. An employee  
25 participating in that arrangement shall have the absolute right to  
26 return to his or her former position. Any temporary assignment  
27 or loan of an employee made for the purpose specified in  
28 subdivision (b) shall be made only with the voluntary consent of  
29 the employee.

30 In addition, out-of-class experience obtained in a manner not  
31 described in this section may be used to meet minimum  
32 requirements for promotional as well as open examinations, only  
33 if it was obtained by the employee in good faith and was properly  
34 verified under standards prescribed by board rule.

35 For purposes of this section, a temporary assignment or loan  
36 between educational agencies or jurisdictions shall be extended  
37 for up to two additional years upon a finding by the Superintendent  
38 of Public Instruction or the Chancellor of the California  
39 Community Colleges, and with the approval of the Executive  
40 Officer of the State Personnel Board, that the extension is

1 *necessary in order to substantially complete work on an*  
2 *educational improvement project. However, the temporary*  
3 *assignment of any local educator who is performing the duties of*  
4 *a nonrepresented classification while on loan to a state educational*  
5 *agency may be extended for as many successive two year intervals*  
6 *as necessary by the Superintendent of Public Instruction or the*  
7 *Chancellor of the California Community Colleges with the*  
8 *concurrence of the educational agency or jurisdiction. Public and*  
9 *private colleges and universities shall be considered educational*  
10 *agencies or jurisdictions within the meaning of this section.*

11 *A temporary assignment within an agency or between agencies*  
12 *may be extended by the board for up to two additional years in*  
13 *order for an employee to complete an apprenticeship program.*

14 *(d) This section shall become operative on January 1, 2017.*

15 *SEC. 7. Section 2910 of the Penal Code is amended to read:*

16 2910. (a) ~~The Director~~ *Secretary of the Department of*  
17 *Corrections and Rehabilitation may enter into an agreement with*  
18 *a city, county, or city and ~~county,~~ county to permit transfer of*  
19 *prisoners in the custody of the ~~Director of Corrections~~ secretary*  
20 *to a jail or other adult correctional facility of the city, county, or*  
21 *city and county, if the sheriff or corresponding official having*  
22 *jurisdiction over the facility has consented thereto. The agreement*  
23 *shall provide for contributions to the city, county, or city and*  
24 *county toward payment of costs incurred with reference to such*  
25 *transferred prisoners.*

26 *(b) For purposes of this section, a transfer of prisoners under*  
27 *subdivision (a) may include inmates who have been sentenced to*  
28 *the department but remain housed in a county jail. These prisoners*  
29 *shall be under the sole legal custody and jurisdiction of the sheriff*  
30 *or corresponding official having jurisdiction over the facility and*  
31 *shall not be under the legal custody or jurisdiction of the*  
32 *Department of Corrections and Rehabilitation.*

33 *(c) Notwithstanding any other law, for purposes of entering into*  
34 *agreements under subdivision (a), any process, regulation,*  
35 *requirement, including any state governmental reviews or*  
36 *approvals, or third-party approval that is required under, or*  
37 *implemented pursuant to, any statute that relates to entering into*  
38 *those agreements is hereby waived.*

39 ~~(b)~~



1 (d) When an agreement entered into pursuant to subdivision (a)  
2 or (c) is in effect with respect to a particular local facility, the  
3 ~~Director of Corrections~~ secretary may transfer prisoners whose  
4 terms of imprisonment have been fixed and parole violators to the  
5 facility.

6 (e)

7 (e) Prisoners so transferred to a local facility may, with approval  
8 of the ~~Director of Corrections~~ notice to the secretary, participate  
9 in programs of the facility, including, *but not limited to*, work  
10 furlough rehabilitation programs.

11 ~~(d) Prisoners transferred to such facilities are subject to the rules~~  
12 ~~and regulations of the facility in which they are confined, but~~  
13 ~~remain under the legal custody of the Department of Corrections~~  
14 ~~and shall be subject at any time, pursuant to the rules and~~  
15 ~~regulations of the Director of Corrections, to be detained in the~~  
16 ~~county jail upon the exercise of a state parole or correctional~~  
17 ~~officer's peace officer powers as specified in Section 830.5, with~~  
18 ~~the consent of the sheriff or corresponding official having~~  
19 ~~jurisdiction over the facility.~~

20 (e)

21 (f) The ~~Director of Corrections~~ secretary, to the extent possible,  
22 shall select city, county, or city and county facilities in areas where  
23 medical, food, and other support services are available from nearby  
24 existing prison facilities.

25 (f)

26 (g) The ~~Director of Corrections~~ secretary, with the approval of  
27 the Department of General Services, may enter into an agreement  
28 to lease state property for a period not in excess of 20 years to be  
29 used as the site for a facility operated by a city, county, or city and  
30 county authorized by this section.

31 ~~(g) No agreement may be entered into under this section unless~~  
32 ~~the cost per inmate in the facility is no greater than the average~~  
33 ~~costs of keeping an inmate in a comparable facility of the~~  
34 ~~department, as determined by the director.~~

35 (h) *This section shall remain in effect only until January 1, 2017,*  
36 *and as of that date is repealed, unless a later enacted statute, that*  
37 *is enacted before January 1, 2017, deletes or extends that date.*

38 SEC. 8. Section 2910 is added to the Penal Code, to read:

39 2910. (a) *The Secretary of the Department of Corrections and*  
40 *Rehabilitation may enter into an agreement with a city, county, or*

1 city and county to permit transfer of prisoners in the custody of  
2 the secretary to a jail or other adult correctional facility of the  
3 city, county, or city and county, if the sheriff or corresponding  
4 official having jurisdiction over the facility has consented thereto.  
5 The agreement shall provide for contributions to the city, county,  
6 or city and county toward payment of costs incurred with reference  
7 to such transferred prisoners.

8 (b) When an agreement entered into pursuant to subdivision  
9 (a) is in effect with respect to a particular local facility, the  
10 secretary may transfer prisoners whose terms of imprisonment  
11 have been fixed and parole violators to the facility.

12 (c) Prisoners so transferred to a local facility may, with  
13 approval of the secretary, participate in programs of the facility,  
14 including, but not limited to, work furlough rehabilitation  
15 programs.

16 (d) Prisoners transferred to such facilities are subject to the  
17 rules and regulations of the facility in which they are confined,  
18 but remain under the legal custody of the Department of  
19 Corrections and Rehabilitation and shall be subject at any time,  
20 pursuant to the rules and regulations of the secretary, to be  
21 detained in the county jail upon the exercise of a state parole or  
22 correctional officer's peace officer powers, as specified in Section  
23 830.5, with the consent of the sheriff or corresponding official  
24 having jurisdiction over the facility.

25 (e) The secretary, to the extent possible, shall select city, county,  
26 or city and county facilities in areas where medical, food, and  
27 other support services are available from nearby existing prison  
28 facilities.

29 (f) The secretary, with the approval of the Department of  
30 General Services, may enter into an agreement to lease state  
31 property for a period not in excess of 20 years to be used as the  
32 site for a facility operated by a city, county, or city and county  
33 authorized by this section.

34 (g) An agreement shall not be entered into under this section  
35 unless the cost per inmate in the facility is no greater than the  
36 average costs of keeping an inmate in a comparable facility of the  
37 department, as determined by the secretary.

38 (h) This section shall become operative on January 1, 2017.

39 SEC. 9. Section 2915 is added to the Penal Code, to read:

1 2915. (a) *The Secretary of the Department of Corrections and*  
2 *Rehabilitation may enter into one or more agreements to obtain*  
3 *secure housing capacity within the state. These agreements may*  
4 *be entered into with private entities and may be in the form of a*  
5 *lease or an operating agreement. The secretary may procure and*  
6 *enter these agreements on terms and conditions he or she deems*  
7 *necessary and appropriate. Notwithstanding any other law, any*  
8 *process, regulation, requirement, including any state governmental*  
9 *reviews or approvals, or third-party approval that is required*  
10 *under statutes that relate to the procurement and implementation*  
11 *of those agreements is hereby waived, however, no agreement*  
12 *shall contain terms, either directly or indirectly, that involve the*  
13 *repayment of any debt issuance or other financing and, consistent*  
14 *with state law, shall provide that payment of that agreement is*  
15 *subject to appropriation.*

16 (b) *The Secretary of the Department of Corrections and*  
17 *Rehabilitation may enter into one or more agreements to obtain*  
18 *secure housing capacity in another state. These agreements may*  
19 *be entered into with private entities and may be in the form of an*  
20 *operating agreement or other contract. The secretary may procure*  
21 *and enter these agreements on terms and conditions he or she*  
22 *deems necessary and appropriate. Notwithstanding any other law,*  
23 *any process, regulation, requirement, including any state*  
24 *governmental reviews or approvals, or third-party approval that*  
25 *is required under statutes that relate to the procurement and*  
26 *implementation of those agreements is hereby waived, however,*  
27 *no agreement shall contain terms, either directly or indirectly,*  
28 *that involve the repayment of any debt issuance or other financing*  
29 *and, consistent with state law, shall provide that payment of that*  
30 *agreement is subject to appropriation. This subdivision does not*  
31 *authorize the department to operate a facility out of state.*

32 (c) *The provisions of Division 13 (commencing with Section*  
33 *21000) of the Public Resources Code do not apply to this section.*

34 (d) *This section shall remain in effect only until January 1, 2017,*  
35 *and as of that date is repealed, unless a later enacted statute, that*  
36 *is enacted before January 1, 2017, deletes or extends that date.*

37 SEC. 10. *Section 6250.2 is added to the Penal Code, to read:*

38 6250.2. (a) *The Secretary of the Department of Corrections*  
39 *and Rehabilitation may enter into agreements for the transfer of*  
40 *prisoners to, or placement of prisoners in, community correctional*

1 centers. The secretary may enter into contracts to provide housing,  
 2 sustenance, and supervision for inmates placed in community  
 3 correctional centers.

4 (b) Notwithstanding any other law, for the purposes of entering  
 5 into agreements under subdivision (a), any process, regulation,  
 6 requirement, including any state government reviews or approvals,  
 7 or third-party approval that is required under, or implemented  
 8 pursuant to, any statute that relates to entering into those  
 9 agreements is hereby waived.

10 (c) This section shall remain in effect only until January 1, 2017,  
 11 and as of that date is repealed, unless a later enacted statute, that  
 12 is enacted before January 1, 2017, deletes or extends that date.

13 SEC. 11. Section 11191 of the Penal Code is amended to read:

14 11191. (a) Any court or other agency or officer of this state  
 15 having power to commit or transfer an inmate—~~as, as defined in~~  
 16 Article II(d) of the Interstate Corrections Compact or of the  
 17 Western Interstate Corrections—~~Compact~~ Compact, to any  
 18 institution for confinement may commit or transfer that inmate to  
 19 any institution within or without this state if this state has entered  
 20 into a contract or contracts for the confinement of inmates in that  
 21 institution pursuant to Article III of the Interstate Corrections  
 22 Compact or of the Western Interstate Corrections—~~Compact, but~~  
 23 ~~no inmate Compact.~~

24 (b) An inmate sentenced under California law ~~may~~ shall not be  
 25 committed or transferred to an institution outside of this state,  
 26 unless he or she has executed a written consent to the transfer. The  
 27 inmate shall have the right to a private consultation with an attorney  
 28 of his choice, or with a public defender if the inmate cannot afford  
 29 counsel, concerning his rights and obligations under this section,  
 30 and shall be informed of those rights prior to executing the written  
 31 consent. At any time more than five years after the transfer, the  
 32 inmate shall be entitled to revoke his consent and to transfer to an  
 33 institution in this state. In such cases, the transfer shall occur within  
 34 the next 30 days.

35 ~~(b) This section shall become operative on July 1, 2011, or at~~  
 36 ~~such time as the Department of Corrections and Rehabilitation has~~  
 37 ~~replaced “temporary beds,” as defined in paragraph (3) of~~  
 38 ~~subdivision (a) of Section 15819.34 of the Government Code,~~  
 39 ~~whichever is sooner.~~

1 (c) *Notwithstanding the requirements in this section or Section*  
2 *11194, the secretary may transfer an inmate to a facility in another*  
3 *state without the consent of the inmate.*

4 (d) *Inmates who volunteer by submitting a request to transfer*  
5 *and are otherwise eligible shall receive first priority under this*  
6 *section.*

7 (e) *This section shall remain in effect only until January 1, 2017,*  
8 *and as of that date is repealed, unless a later enacted statute, that*  
9 *is enacted before January 1, 2017, deletes or extends that date.*

10 SEC. 12. *Section 11191 is added to the Penal Code, to read:*

11 11191. (a) *Any court or other agency or officer of this state*  
12 *having power to commit or transfer an inmate, as defined in Article*  
13 *II(d) of the Interstate Corrections Compact or of the Western*  
14 *Interstate Corrections Compact, to any institution for confinement*  
15 *may commit or transfer that inmate to any institution within or*  
16 *outside of this state if this state has entered into a contract or*  
17 *contracts for the confinement of inmates in that institution pursuant*  
18 *to Article III of the Interstate Corrections Compact or of the*  
19 *Western Interstate Corrections Compact.*

20 (b) *No inmate sentenced under California law may be committed*  
21 *or transferred to an institution outside of this state, unless he or*  
22 *she has executed a written consent to the transfer. The inmate shall*  
23 *have the right to a private consultation with an attorney of his*  
24 *choice, or with a public defender if the inmate cannot afford*  
25 *counsel, concerning his rights and obligations under this section,*  
26 *and shall be informed of those rights prior to executing the written*  
27 *consent. At any time more than five years after the transfer, the*  
28 *inmate shall be entitled to revoke his consent and to transfer to an*  
29 *institution in this state. In such cases, the transfer shall occur*  
30 *within the next 30 days.*

31 (c) *This section shall become operative on January 1, 2017.*

32 SEC. 13. *Section 13602 of the Penal Code is amended to read:*

33 13602. (a) *The Department of Corrections and Rehabilitation*  
34 *may use the training academy at Galt or the training center in*  
35 *Stockton. The academy at Galt shall be known as the Richard A.*  
36 *McGee Academy. The training divisions, in using the funds, shall*  
37 *endeavor to minimize costs of administration so that a maximum*  
38 *amount of the funds will be used for providing training and support*  
39 *to correctional peace officers while being trained by the*  
40 *department.*

1 (b) Notwithstanding subdivision (a), and pursuant to Section  
2 13602.1, the Department of Corrections and Rehabilitation may  
3 use a training academy established for the California City  
4 Correctional Center. This academy, in using the funds, shall  
5 endeavor to minimize costs of administration so that a maximum  
6 amount of the funds will be used for providing training and support  
7 to correctional employees who are being trained by the department.

8 ~~(b)~~

9 (c) Each new cadet who attends an academy shall complete the  
10 course of training, pursuant to standards approved by the CPOST  
11 before he or she may be assigned to a post or job as a peace officer.  
12 Every newly appointed first-line or second-line supervisor in the  
13 Department of Corrections and Rehabilitation shall complete the  
14 course of training, pursuant to standards approved by the CPOST  
15 for that position.

16 ~~(e)~~

17 (d) The Department of Corrections and Rehabilitation shall  
18 make every effort to provide training prior to commencement of  
19 supervisory duties. If this training is not completed within six  
20 months of appointment to that position, any first-line or second-line  
21 supervisor shall not perform supervisory duties until the training  
22 is completed.

23 ~~(d) This section shall become operative July 1, 2012.~~

24 (e) This section shall remain in effect only until January 1, 2017,  
25 and as of that date is repealed, unless a later enacted statute, that  
26 is enacted before January 1, 2017, deletes or extends that date.

27 SEC. 14. Section 13602 is added to the Penal Code, to read:

28 13602. (a) The Department of Corrections and Rehabilitation  
29 may use the training academy at Galt or the training center in  
30 Stockton. The academy at Galt shall be known as the Richard A.  
31 McGee Academy. The training divisions, in using the funds, shall  
32 endeavor to minimize costs of administration so that a maximum  
33 amount of the funds will be used for providing training and support  
34 to correctional peace officers while being trained by the  
35 department.

36 (b) Each new cadet who attends an academy shall complete the  
37 course of training, pursuant to standards approved by the CPOST,  
38 before he or she may be assigned to a post or job as a peace officer.  
39 Every newly appointed first-line or second-line supervisor in the  
40 Department of Corrections and Rehabilitation shall complete the

1 course of training, pursuant to standards approved by the CPOST  
2 for that position.

3 (c) The Department of Corrections and Rehabilitation shall  
4 make every effort to provide training prior to commencement of  
5 supervisory duties. If this training is not completed within six  
6 months of appointment to that position, any first-line or second-line  
7 supervisor shall not perform supervisory duties until the training  
8 is completed.

9 (d) This section shall become operative January 1, 2017.

10 SEC. 15. (a) There is hereby appropriated from the General  
11 Fund the amount of three hundred fifteen million dollars  
12 (\$315,000,000) to the Department of Corrections and  
13 Rehabilitation for purposes of implementing this act.

14 (b) (1) Not later than April 15, 2014, and again not later than  
15 April 15, 2015, the Secretary of the Department of Corrections  
16 and Rehabilitation shall submit a report to the Director of Finance  
17 and the chairpersons and vice chairpersons of the committees in  
18 both houses of the Legislature that consider the state budget, and  
19 to the Assembly Committee on Public Safety and the Senate  
20 Committee on Public Safety, detailing the number of inmates  
21 housed in leased beds and in contracted beds both within and  
22 outside of the state pursuant to the provisions of this act. The report  
23 shall provide the specific number of inmates moved to each facility  
24 and shall identify all costs associated with housing these inmates.

25 (2) The requirement for submitting a report imposed under this  
26 subdivision is inoperative on January 1, 2017, pursuant to Section  
27 10231.5 of the Government Code.

28 (3) A report to be submitted pursuant to this subdivision shall  
29 be submitted in compliance with Section 9795 of the Government  
30 Code.

31 SEC. 16. This act is a bill providing for appropriations related  
32 to the Budget Bill within the meaning of subdivision (e) of Section  
33 12 of Article IV of the California Constitution, has been identified  
34 as related to the budget in the Budget Bill, and shall take effect  
35 immediately.

36 ~~SECTION 1. It is the intent of the Legislature to enact statutory~~  
37 ~~changes relating to the Budget Act of 2013.~~

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