

AMENDED IN ASSEMBLY JUNE 10, 2014

AMENDED IN SENATE MAY 28, 2013

AMENDED IN SENATE MAY 15, 2013

AMENDED IN SENATE APRIL 24, 2013

AMENDED IN SENATE APRIL 1, 2013

SENATE BILL

No. 505

Introduced by Senator Jackson

February 21, 2013

An act to ~~amend Section 51874 of the Education Code~~ *add Section 5150.6 to the Welfare and Institutions Code*, relating to ~~education technology~~ *welfare checks*.

LEGISLATIVE COUNSEL'S DIGEST

SB 505, as amended, Jackson. ~~Education technology~~. *Peace officers: welfare checks: firearms.*

Existing law allows a person to be taken into custody for a period of 72 hours for crisis intervention when probable cause exists that the person, as a result of a mental disorder, is a danger to others, or to himself or herself, or gravely disabled.

This bill would, except when exigent circumstances exist, require a peace officer who is asked to check, or checks on, the welfare or well-being of an individual based on a concern that the individual is a danger to others, or to himself or herself, to first conduct a search of the Department of Justice Automated Firearms System via the California Law Enforcement Telecommunications System to determine whether the person is the registered owner of any firearm.

By imposing additional duties on local peace officers, 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.

~~(1) Existing law creates, until January 1, 2014, the California Technology Assistance Project administered by the State Department of Education to provide a regionalized network of technical assistance to schools and school districts on the implementation of education technology. The California Technology Assistance Project is composed of regional consortia that work collaboratively with school districts and county offices of education to meet locally defined educational needs that can be effectively addressed with the use of technology. Existing law requires the State Board of Education to award grants to fund a school district or county office of education in each region of the California Technology Assistance Project to act as the lead agency to administer the services of that region. Existing law requires grant funding to be provided through the annual Budget Act.~~

~~This bill would provide that these provisions would remain in effect until January 1, 2019.~~

~~(2) Existing law requires the State Department of Education to administer specified provisions governing education technology and authorizes school districts, county offices of education, and state special schools to apply to the State Board of Education to participate in grant programs related to education technology. Existing law requires funding to be provided through the annual Budget Act to the Superintendent of Public Instruction to provide centralized statewide educational technology services that address locally defined needs and are more efficiently and effectively provided on a statewide basis. Under existing law, these provisions remain in effect until January 1, 2014.~~

~~This bill would instead provide that these provisions would remain in effect until January 1, 2019.~~

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

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

1 *SECTION 1. Section 5150.6 is added to the Welfare and*
2 *Institutions Code, to read:*

3 *5150.6. Except when exigent circumstances exist, if during the*
4 *discharge of his or her policing and community care taking*
5 *functions, a peace officer is asked to check, or checks on, the*
6 *welfare or well-being of a person, and the inquiry is motivated by*
7 *a concern that the person may be a danger to others, or to himself*
8 *or herself, the peace officer shall first conduct a search of the*
9 *Department of Justice Automated Firearms System via the*
10 *California Law Enforcement Telecommunications System, to*
11 *determine whether the person is the registered owner of any*
12 *firearm.*

13 *SEC. 2. If the Commission on State Mandates determines that*
14 *this act contains costs mandated by the state, reimbursement to*
15 *local agencies and school districts for those costs shall be made*
16 *pursuant to Part 7 (commencing with Section 17500) of Division*
17 *4 of Title 2 of the Government Code.*

18 ~~SECTION 1. Section 51874 of the Education Code is amended~~
19 ~~to read:~~

20 ~~51874. Sections 51871, 51872, 51873, this section, and the~~
21 ~~heading of this article shall remain in effect only until January 1,~~
22 ~~2019, and as of that date are repealed, unless a later enacted statute,~~
23 ~~that is enacted before January 1, 2019, deletes or extends that date.~~