

**ASSEMBLY BILL**

**No. 1409**

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**Introduced by Assembly Member Irwin**

February 27, 2015

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An act to amend Section 601 of the Welfare and Institutions Code, relating to juveniles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1409, as introduced, Irwin. Juveniles: wards.

Existing law provides that a person under 18 years of age who engages in certain noncriminal behavior, including, among other things, persistent or habitual truancy or failure to obey the reasonable and proper orders or directions of school authorities is within the jurisdiction of the juvenile court. Existing law authorizes the juvenile court to adjudge that minor to be a ward of the court.

This bill would make technical, nonsubstantive changes to that 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 601 of the Welfare and Institutions Code  
2     is amended to read:  
3     601. (a) Any person under 18 years of age who persistently  
4     or habitually refuses to obey the reasonable and proper orders or  
5     directions of his or her parents, guardian, or custodian, or who is  
6     beyond the control of that person, or who is under ~~the age of~~ 18  
7     years *of age* when he or she violated any ordinance of any city or

1 county of this state establishing a curfew based solely on ~~age~~ *age*,  
2 is within the jurisdiction of the juvenile ~~court~~ *court*, which may  
3 adjudge the minor to be a ward of the court.

4 (b) (1) If a minor has four or more trancies within one school  
5 ~~year~~ *year*, as defined in Section 48260 of the Education ~~Code~~  
6 *Code*, or a school attendance review board or probation officer  
7 determines that the available public and private services are  
8 insufficient or inappropriate to correct the habitual truancy of the  
9 minor, or to correct the minor's persistent or habitual refusal to  
10 obey the reasonable and proper orders or directions of school  
11 authorities, or if the minor fails to respond to directives of a school  
12 attendance review board or probation officer or to services  
13 provided, the minor is then within the jurisdiction of the juvenile  
14 ~~court~~ *court*, which may adjudge the minor to be a ward of the court.

15 ~~However,~~

16 (2) ~~However,~~ it is the intent of the Legislature that a minor who  
17 is described in ~~this subdivision~~ *paragraph (1)*, adjudged a ward  
18 of the court pursuant solely to ~~this subdivision~~ *paragraph (1)*, or  
19 found in contempt of court for failure to comply with a court order  
20 pursuant to ~~this subdivision~~ *paragraph (1)*, shall not be held in a  
21 secure facility and shall not be removed from the custody of the  
22 parent or guardian except for the purposes of school attendance.

23 (c) To the extent practically feasible, a minor who is adjudged  
24 a ward of the court pursuant to this section shall not be permitted  
25 to come into or remain in contact with any minor ordered to  
26 participate in a truancy program, or the equivalent thereof, pursuant  
27 to Section 602.

28 (d) Any peace officer or school administrator may issue a notice  
29 to appear to a minor who is within the jurisdiction of the juvenile  
30 court pursuant to this section.