

**ASSEMBLY BILL**

**No. 2012**

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**Introduced by Assembly Members Bigelow, Wilk, Cooper, and  
Jones-Sawyer  
(Principal coauthor: Assembly Member Hadley)  
(Coauthor: Assembly Member Santiago)**

February 16, 2016

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An act to amend Section 4327 of, to amend the heading of Chapter 2.5 (commencing with Section 4325) of Title 4 of Part 3 of, to repeal Sections 4326 and 4329 of, and to repeal and add Section 4325 of, the Penal Code, relating to jails.

LEGISLATIVE COUNSEL'S DIGEST

AB 2012, as introduced, Bigelow. Jail Industry Program.

Existing law authorizes the board of supervisors in specified counties, as part of a pilot jail industry program not to exceed 4 years, to establish, with the concurrence of the county sheriff, a Jail Industry Commission for that county. Existing law also requires the county board of supervisors, upon the establishment of a commission, to create a Jail Industries Fund, as specified, which may be used to fund specified purposes. Existing law specifies the composition of these commissions.

This bill would repeal the authorization to create a Jail Industry Commission as a pilot program, and would instead authorize the board of supervisors of the Counties of Los Angeles, San Joaquin, Sonoma, Tuolumne, and Ventura to authorize the county sheriff or county director of corrections to create a Jail Industry Program, as specified. The bill would also make conforming changes.

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. The heading of Chapter 2.5 (commencing with  
2 Section 4325) of Title 4 of Part 3 of the Penal Code is amended  
3 to read:

4  
5 CHAPTER 2.5. ~~PILOT~~-JAIL INDUSTRY PROGRAMS  
6

7 SEC. 2. Section 4325 of the Penal Code is repealed.

8 ~~4325. The board of supervisors of a county of the ninth class  
9 or the 19th class, as described in Sections 28030 and 28040,  
10 respectively, of the Government Code, or both county boards, with  
11 the concurrence of the sheriff of the county, may establish by  
12 ordinance or resolution, a Jail Industry Commission for that county,  
13 which commission shall have the same purposes, powers, and  
14 duties with respect to the county jail as the Prison Industry  
15 Authority has under Article 1 (commencing with Section 2800)  
16 of Chapter 6 of Title 1 with respect to institutions under the  
17 jurisdiction of the Department of Corrections. As used in this  
18 chapter, "commission" means a Jail Industry Commission.~~

19 SEC. 3. Section 4325 is added to the Penal Code, to read:

20 4325. (a) The board of supervisors of the Counties of Los  
21 Angeles, San Joaquin, Sonoma, Tuolumne, and Ventura may  
22 authorize, by ordinance or resolution, the sheriff or county director  
23 of corrections to create a Jail Industry Program within the county  
24 jail system.

25 (b) The purpose of the Jail Industry Program includes all of the  
26 following:

27 (1) To develop and operate industrial, agricultural, or service  
28 enterprises or programs employing prisoners in county correctional  
29 facilities under the jurisdiction of the sheriff or county director of  
30 corrections.

31 (2) To create and maintain working conditions within the  
32 enterprises or programs as similar as possible to those that prevail  
33 in private industry.

34 (3) To ensure prisoners have the opportunity to work  
35 productively and earn funds, if approved by the board of  
36 supervisors pursuant to Section 4019.3, and to acquire or improve  
37 effective work habits and occupational skills.

1 (4) To allow inmates who participate in the enterprise or  
2 program the opportunity to earn additional time credits allowed  
3 under Section 4019.1 or 4019.4, if authorized by the sheriff or  
4 county director of corrections.

5 SEC. 4. Section 4326 of the Penal Code is repealed.

6 ~~4326. The commission shall be composed of nine members,  
7 four of whom shall be appointed by, and serve at the pleasure of,  
8 the board of supervisors, and three of whom shall be appointed  
9 by, and serve at the pleasure of, the sheriff. The chairperson of the  
10 board of supervisors or his or her designee shall also be a member.  
11 The sheriff shall be ex officio chairperson of the commission.~~

12 ~~The board of supervisors shall provide for the compensation of  
13 members of the commission, and shall provide for the meetings,  
14 support staff, and general operations of the commission.~~

15 SEC. 5. Section 4327 of the Penal Code is amended to read:

16 4327. Upon the establishment of the ~~commission~~, *Jail Industry*  
17 *Program*, the board of supervisors shall establish a Jail Industries  
18 Fund, which may be a revolving fund, for funding the operations  
19 of the ~~commission~~. *program*. All jail industry income shall be  
20 deposited in, and any prisoner compensation shall be paid to the  
21 account of the prisoner from, the Jail Industries Fund.

22 SEC. 6. Section 4329 of the Penal Code is repealed.

23 ~~4329. No commission established pursuant to Section 4325 or  
24 any county jail industry program conducted under the authority of  
25 a commission, shall remain in existence for more than four years  
26 from the date of its establishment.~~