

AMENDED IN ASSEMBLY APRIL 13, 2016

AMENDED IN ASSEMBLY MARCH 17, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2052

Introduced by Assembly Member Williams

February 17, 2016

An act to add Section 597.8 to the Penal Code, relating to crimes.

LEGISLATIVE COUNSEL'S DIGEST

AB 2052, as amended, Williams. ~~Animal cruelty. Sentencing: animal abuse and cruelty.~~

Existing law makes it a crime, punishable as specified, to commit various forms of animal abuse, including, *among others*, maliciously or intentionally maiming or killing an animal and dogfighting.

~~This bill would require, upon conviction of specified types of animal abuse but prior to sentencing, the court to order the person convicted to submit to a psychiatric or psychological examination, to be provided and paid for by the court. The bill would require the court to consider the result of the examination in determining a sentence.~~

~~This bill would require a person sentenced for 2 or more current convictions for specified animal abuse and animal cruelty offenses to be sentenced to consecutive terms of imprisonment.~~

~~By requiring consecutive terms of imprisonment in a county jail for certain convictions, 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 no reimbursement is required by this act for a specified reason.

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 597.8 is added to the Penal Code, to read:
2 597.8. A person sentenced for two or more current convictions
3 for the following offenses, in any combination, shall be sentenced
4 to consecutive terms of imprisonment:

- 5 (a) A violation of Section 597.
- 6 (b) A violation of Section 597.5.
- 7 (c) A violation of Section 597a.
- 8 (d) A violation of Section 597b.

9 SEC. 2. No reimbursement is required by this act pursuant to
10 Section 6 of Article XIII B of the California Constitution because
11 the only costs that may be incurred by a local agency or school
12 district will be incurred because this act creates a new crime or
13 infraction, eliminates a crime or infraction, or changes the penalty
14 for a crime or infraction, within the meaning of Section 17556 of
15 the Government Code, or changes the definition of a crime within
16 the meaning of Section 6 of Article XIII B of the California
17 Constitution.

18 ~~SECTION 1. Section 597.8 is added to the Penal Code, to read:~~
19 ~~597.8. Upon conviction pursuant to subdivision (a) or (b) of~~
20 ~~Section 597 or Section 597a, 597b, 597h, 597j, 597s, or 597.1, but~~
21 ~~prior to sentencing, the court shall order the person convicted to~~
22 ~~submit to a psychiatric or psychological examination. All~~
23 ~~examinations shall be provided and paid for by the court. The~~
24 ~~results of the examination shall be sent by the examining~~
25 ~~psychologist or psychiatrist to the court and to the attorneys for~~
26 ~~the prosecution and the defense. The court shall consider the results~~
27 ~~of the examination in determining a sentence.~~