

ASSEMBLY BILL

No. 2255

**Introduced by Assembly Member Melendez
(Principal coauthor: Assembly Member Brough)**

February 18, 2016

An act to add Section 11834.19 to the Health and Safety Code, relating to residential facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 2255, as introduced, Melendez. Sober living homes.

Existing law provides for the licensure and regulation of community care facilities by the State Department of Social Services. Existing law also provides for the licensure and regulation by the State Department of Health Care Services of alcoholism and drug abuse recovery and treatment facilities for adults.

This bill would define a “sober living home” as a residential property that meets specified requirements. The bill would provide that a residence housing those purporting to be recovering from drug or alcohol abuse would be presumed to be a sober living home if it has been certified, registered, or approved by a state-recognized nonprofit organization. The bill would require the nonprofit organization to establish minimum standards for sober living homes, including protocols to address suspected drug and alcohol abuse or to report the death of a resident.

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 11834.19 is added to the Health and
2 Safety Code, to read:

3 11834.19. (a) For purposes of this chapter, “sober living home”
4 means a residential property that is operated as a cooperative living
5 arrangement to provide an alcohol- and drug-free environment for
6 persons recovering from alcoholism or drug abuse, or both, who
7 seek a living environment in which to remain clean and sober, and
8 that satisfies all of the following requirements:

9 (1) Residents of the facility, including live-in managers,
10 operators, or owners, are living a sober lifestyle.

11 (2) Residents actively participate in legitimate programs,
12 including, but not limited to, Alcoholics Anonymous or Narcotics
13 Anonymous programs.

14 (3) Within the sober living home, residents actively participate
15 in legitimate recovery programs, including, but not limited to,
16 outpatient treatment, 12-step recovery, and other recognized
17 programs of recovery, and maintain current records of meeting
18 attendance.

19 (4) Owners, managers, operators, and residents observe and
20 promote a zero tolerance policy regarding the consumption or
21 possession of alcohol or controlled substances, except for
22 prescription medications obtained and used under direct medical
23 supervision. The observation and promotion of this policy may
24 take into account demonstrable efforts made by residents to respond
25 to, and prevent additional violations of, the policy.

26 (5) Owners, managers, operators, and residents ensure that the
27 property and its use comply with applicable state and local laws.

28 (b) (1) A residence housing those purporting to be recovering
29 from drug and alcohol abuse shall be presumed to be a sober living
30 home if the residence has been certified, registered, or approved
31 by a state-recognized nonprofit organization that provides a
32 credible quality assurance service for applicants or members.

33 (2) The state-recognized nonprofit organization shall establish
34 minimum standards for all of the following:

35 (A) Protocols to address suspected drug and alcohol abuse.

36 (B) Protocols to report the death of a resident.

- 1 (C) Basic first aid and CPR training.

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