

Assembly Bill No. 2380

CHAPTER 882

An act to add Section 993 to the Penal Code, relating to defendants.

[Approved by Governor September 30, 2016. Filed with
Secretary of State September 30, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2380, Alejo. Defendants: minor children.

Existing law provides for the appointment of a guardian for a minor child. Existing law provides for the creation of a power of attorney for a minor child. Existing law defines a "trustline provider" as an adult who provides child care, in-home education services, or other specified services to a minor, and who is registered but not required to be licensed for purposes of child care.

This bill would require the court to provide a defendant at a felony arraignment who is, or whom the court reasonably deems to be, as specified, the sole custodial parent of one or more minor children specified information regarding guardianship for a minor, a guardianship power of attorney for a minor, and information regarding specified unlicensed child care providers.

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

SECTION 1. Section 993 is added to the Penal Code, to read:

993. (a) At the arraignment of a defendant who is charged with a felony and who is, or whom the court reasonably deems to be, the sole custodial parent of one or more minor children, the court shall provide the following to the defendant:

- (1) Judicial Council Form GC-250, the "Guardianship Pamphlet."
- (2) Information regarding a power of attorney for a minor child.
- (3) Information regarding trustline background examinations pertaining to child care providers as provided in Chapter 3.35 (commencing with Section 1596.60) of Division 2 of the Health and Safety Code.

(b) If the defendant states, orally or in writing, at the arraignment that he or she is a sole custodial parent of one or more minor children, the court may reasonably deem the defendant to be a sole custodial parent of one or more minor children without further investigation. The court may, but is not required to, make that determination on the basis of information other than the defendant's statement.

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