

**ASSEMBLY BILL**

**No. 2772**

---

---

**Introduced by Assembly Member Chang**  
**(Principal coauthor: Assembly Member Brough)**  
(Principal coauthor: Senator Bates)  
**(Coauthor: Assembly Member Wagner)**

February 19, 2016

---

---

An act to add Chapter 1.6 (commencing with Section 1212) to Title 8 of Part 2 of the Penal Code, relating to drug treatment.

LEGISLATIVE COUNSEL'S DIGEST

AB 2772, as introduced, Chang. Drug treatment programs.

Existing law requires certain defendants to participate in a drug treatment program when, among other things, under a deferred entry of judgment program, as a condition of probation, and as a condition of parole.

Existing law prohibits a person, firm, partnership, association, corporation, or local governmental entity from operating, establishing, managing, conducting, or maintaining an alcoholism or drug abuse recovery or treatment facility to provide recovery, treatment, or detoxification services within this state without first obtaining a current valid license from the State Department of Health Care Services.

This bill would require a person seeking treatment at an alcoholism and drug abuse recovery or treatment facility because he or she has been ordered or required to participate in a drug treatment program pursuant to the Penal Code to seek treatment from an alcoholism and drug abuse recovery or treatment facility that is licensed by the State Department of Health Care Services and in compliance with the local laws where the facility is located.

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. Chapter 1.6 (commencing with Section 1212) is  
2 added to Title 8 of Part 2 of the Penal Code, to read:

3

4

CHAPTER 1.6. DRUG TREATMENT PROGRAMS

5

6 1212. Notwithstanding any other law, a person seeking  
7 treatment at an alcoholism and drug abuse recovery or treatment  
8 facility, as defined in Section 11834.02 of the Health and Safety  
9 Code, because he or she has been ordered or required to participate  
10 in a drug treatment program pursuant to this code shall seek  
11 treatment from an alcoholism and drug abuse recovery or treatment  
12 facility that meets both of the following requirements:

13

14

15

16

17

(a) The facility is licensed by the State Department of Health  
Care Services pursuant to Chapter 7.5 (commencing with Section  
11834.01) and is listed on the department’s Internet Web site.

(b) The facility is in compliance with the local laws where the  
facility is located.