

AMENDED IN SENATE APRIL 4, 2016

SENATE BILL

No. 1283

Introduced by Senator Bates
(Principal coauthor: Assembly Member Brough)

February 19, 2016

An act to ~~amend Sections 11834.01, 11834.02, 11834.09, 11834.10, 11834.15, 11834.17, 11834.18, 11834.20, 11834.21, 11834.22, 11834.23, 11834.24, 11834.25, 11834.26, 11834.29, 11834.30, 11834.31, 11834.32, 11834.36, and 11834.50 of, and to add Sections 11834.11 and 11834.265 to, add Chapter 5 (commencing with Section 11759.70) to Part 1 of Division 10.5 of the Health and Safety Code, relating to substance abuse.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1283, as amended, Bates. Substance abuse: ~~adult recovery maintenance facilities:~~ *structured sober living homes.*

Existing law provides for the licensure and regulation of alcoholism or drug abuse recovery or treatment facilities serving adults by the State Department of Health Care Services, as prescribed.

~~This bill would also require the department to administer the licensure and regulation of adult recovery maintenance facilities, as defined, pursuant to those provisions. The bill would establish licensure fees for purposes of administering these provisions. The bill would make conforming changes:~~ *authorize a city, county, or city and county to enact an ordinance to register structured sober living homes, consistent with specified state and federal law, and with specified exclusions. The bill would define a structured sober living home as any premises, place, or building that provides groups of unrelated adults recovering from drug or alcohol addiction with alcohol-free and drug-free housing,*

promotes independent living and life skill development, and provides structured activities that are directed primarily toward recovery from substance use disorders in a supervised setting. The bill would specify registration and other requirements applicable to structured sober living homes. A structured sober living home, as defined by and registered pursuant to the bill, would not be subject to existing state licensure and regulation requirements for alcoholism or drug abuse recovery or treatment facilities.

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no. State-mandated local program: no.

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

1 SECTION 1. Chapter 5 (commencing with Section 11759.70)
 2 is added to Part 1 of Division 10.5 of the Health and Safety Code,
 3 to read:

4
 5 CHAPTER 5. STRUCTURED SOBER LIVING HOMES

6
 7 11759.70. (a) (1) For the purposes of this section, “structured
 8 sober living home” means any premises, place, or building that
 9 provides alcohol-free or drug-free housing, promotes independent
 10 living and life skill development, and provides structured activities
 11 that are directed primarily toward recovery from substance use
 12 disorders in a supervised setting to a group of unrelated adults
 13 who are recovering from drug or alcohol addiction, and who are
 14 receiving outpatient behavioral health services for substance abuse
 15 or addiction treatment while living in the home.

16 (2) “Structured sober living home” does not include a private
 17 residence in which a related family member is required to receive
 18 outpatient behavioral health services for substance abuse or
 19 addiction treatment as a condition of continuing to reside in the
 20 family dwelling.

21 (b) A structured sober living home registered pursuant to this
 22 section is not subject to state licensure and regulation as an
 23 alcoholism or drug abuse recovery or treatment facility.

24 11759.71. (a) In accordance with this section, a city, county,
 25 or city and county may adopt by ordinance health and safety
 26 standards and enforcement mechanisms for structured sober living
 27 homes that comply with state and federal housing laws and the

1 *federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec.*
2 *12101 et seq.) and amendments thereto. The ordinance shall*
3 *include, but need not be limited to, all of the following:*

4 *(1) Mandatory registration requirements for all structured sober*
5 *living homes, to ensure that the residents are living in a safe*
6 *environment. The registration requirements, at a minimum, shall*
7 *include the following:*

8 *(A) The name and address of the structured sober living home.*

9 *(B) The following information regarding the property:*

10 *(i) If the property is owned, the owner’s name, address, and*
11 *contact telephone number.*

12 *(ii) If the property is leased, a copy of the lease, that includes*
13 *a statement that the property will be used as a structured sober*
14 *living home.*

15 *(2) In-home supervision requirements for the residents of the*
16 *structured sober living home during all hours of operation.*

17 *(3) The establishment and maintenance of an operation plan*
18 *that facilitates the rehabilitative process, including discharge*
19 *planning, and that addresses maintenance of the property and*
20 *noise abatement consistent with local ordinances.*

21 *(b) A city, county, or city and county that adopts health and*
22 *safety standards and enforcement mechanisms for structured sober*
23 *living homes pursuant to subdivision (a) may exclude from*
24 *regulation any structured sober living home that is subject to*
25 *adequate oversight by another governmental entity or contractor*
26 *that meets or exceeds the requirements of this chapter.*

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**All matter omitted in this version of the bill
appears in the bill as introduced in the
Senate, February 19, 2016. (JR11)**