

Introduced by Senator FullerFebruary 19, 2016

An act to amend Section 626 of the Penal Code, relating to entry onto school campuses.

LEGISLATIVE COUNSEL'S DIGEST

SB 1423, as introduced, Fuller. Entry onto school campuses.

Existing law establishes various offenses for unauthorized entry onto school campuses, as specified. Existing law provides definitions of certain terms used in these provisions.

This bill would make a technical, nonsubstantive change to those definitional provisions.

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 626 of the Penal Code is amended to
2 read:

3 626. (a) ~~As used in~~ *For purposes of this chapter, the following*
4 definitions apply:

5 (1) "University" means the University of California, ~~and~~
6 ~~includes including any of its affiliated institution thereof institutions~~
7 and any campus or facility owned, operated, or controlled by the
8 Regents of the University of California.

9 (2) "State university" means any California state university, ~~and~~
10 ~~includes including any campus or facility owned, operated, or~~
11 controlled by the Trustees of the California State University.

(3) “Community college” means any public community college established pursuant to the Education Code.

(4) “School” means any public or private elementary school, junior high school, four-year high school, senior high school, adult school, or any branch thereof, *of those schools*, opportunity school, continuation high school, regional occupational center, evening high school, ~~or technical school or school~~, any public right-of-way situated immediately adjacent to school ~~property~~ *property*, or any other place if a teacher and one or more pupils are required to be at that place in connection with assigned school activities.

(5) “Chief administrative officer” means either of the following:

(A) The president of the university or a state university, the Chancellor of the California State University, or the officer designated by the Regents of the University of California or pursuant to authority granted by the Regents of the University of California to administer and be the officer in charge of a campus or other facility owned, operated, or controlled by the Regents of the University of California, or the superintendent of a community college district.

(B) For a school, the principal of the school, a person who possesses a standard supervision credential or a standard administrative credential and who is designated by the principal, or a person who carries out the same functions as a person who possesses a credential and who is designated by the principal.

(b) For the purpose of determining the penalty to be imposed pursuant to this chapter, the court may consider a written report from the Department of Justice containing information from its records showing prior ~~convictions; and that communication~~ *convictions. That report* is prima facie evidence of the convictions, if the defendant admits them, regardless of whether ~~or not~~ the complaint commencing the proceedings ~~has~~ alleged prior convictions.

(c) ~~As used in~~ *For purposes of* this code, the following definitions apply:

(1) “Pupil currently attending school” means a pupil enrolled in a public or private school who ~~has been~~ *is* in attendance or ~~has~~ had an excused absence, for purposes of attendance accounting, for a majority of the days for which the pupil ~~has been~~ *was* enrolled in that school during the school year.

(2) “Safe school zone” means an area that encompasses any of the following places during regular school hours or within 60 minutes before or after the schoolday or 60 minutes before or after a school-sponsored activity at the schoolsite:

(A) Within 100 feet of a bus stop, ~~whether or not a public transit bus stop, that has been~~ *stop* publicly designated by the school district as a schoolbus ~~stop~~ *stop, regardless of whether it is a public transit bus stop*. This definition applies only if the school district ~~has chosen~~ *chooses* to mark the bus stop as a schoolbus stop.

(B) Within 1,500 feet of a school, as designated by the school district.