

ASSEMBLY BILL

No. 323

Introduced by Assembly Member Baca
(Coauthors: Senators Kopp and Monteith)

February 14, 1997

An act to add Section 1520.66 to the Health and Safety Code, relating to community care facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 323, as introduced, Baca. Community care facilities: group homes.

Existing law provides for the licensure and regulation of community care facilities, including group homes, by the State Department of Social Services. Existing law requires the Director of Social Services to deny an application for a new residential care facility license if the director determines the location is in such proximity to an existing residential care facility as would result in overconcentration.

This bill would additionally require the director to, as a condition to licensure of a group home, notify the appropriate police department of the proposed location, and to deny licensure if recommended by the police department. It would also require the director to conduct a detailed background check of a person applying for a group home license, including contacting the police departments in the locations of any previous group homes operated by the applicant, and establish a limit on the number of group homes in each city or county based on the size of the population.

The bill would require the director to establish a process by which the police department where a group home is located may be reimbursed by a group home for the costs incurred for excessive calls to the police department regarding the group home.

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

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

1 SECTION 1. Section 1520.66 is added to the Health
2 and Safety Code, immediately after Section 1520.65, to
3 read:

4 1520.66. (a) In addition to any other requirements of
5 this chapter, the director shall approve an application for
6 licensure of a group home, only after the following
7 conditions have been satisfied:

8 (1) The police department of the proposed area where
9 the group home is to be located shall be notified of the
10 proposed location of the group home. The police
11 department may conduct research into the proposed
12 location regarding the existing problems in the location
13 including the number of calls for police service and
14 incident reports. The police department may
15 recommend that the license be denied if it conducts this
16 research and determines that there is a high rate of
17 existing crime in the proposed area. The director shall
18 deny a license if the police department recommends
19 denial.

20 (2) The director shall conduct a detailed background
21 check on applicants for a group home license, including
22 contacting the police departments of any area where the
23 applicant has had any other group home for information
24 on the number of calls to the police department and
25 incident reports at the other locations. If this
26 investigation reveals a high number of calls to the police
27 departments where the other group homes were located,
28 the director shall require the applicant to provide the
29 justification for the high number of problems. If the
30 director determines that these problems may reoccur at



1 the proposed new group home, the license shall be
2 denied.

3 (3) The director shall establish a limit on the number
4 of group homes in each city, county, or city and county,
5 based on the population of the city or county. An
6 application for licensure shall be denied if the proposed
7 location already has reached its limit of group homes.

8 (b) The director shall establish a process with each
9 police department under which the police department of
10 each city, county, or city and county, where a group home
11 is located may be reimbursed by the group home for costs
12 incurred by the department for responding to the
13 excessive calls at the group home. The director shall
14 adopt regulations that determine the number of calls to
15 the police department that constitute an excessive
16 number and the method of calculation of the costs
17 incurred.

