

AMENDED IN SENATE SEPTEMBER 2, 1997

AMENDED IN SENATE AUGUST 6, 1997

AMENDED IN SENATE JULY 22, 1997

AMENDED IN SENATE JULY 7, 1997

AMENDED IN ASSEMBLY MAY 6, 1997

AMENDED IN ASSEMBLY APRIL 16, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 1105

Introduced by Assembly Member Hertzberg

February 27, 1997

An act to amend Sections 255, 256, 256.5, 257, 258, 260, 261, 262, and 263 of, and to add and repeal Section 660.5 of, the Welfare and Institutions Code, relating to minors.

LEGISLATIVE COUNSEL'S DIGEST

AB 1105, as amended, Hertzberg. Juvenile hearing officers.

Existing law sets forth a comprehensive body of law governing proceedings in the juvenile court concerning delinquent minors. Existing law also specifies the powers and duties of traffic hearing officers for purposes of those provisions. Existing law provides that traffic hearing officers may hear and dispose of any case in which a minor is alleged to have committed specified misdemeanors and any infraction.

This bill would delete references to traffic hearing officers and instead provide for the appointment and powers of juvenile hearing officers, as specified. The bill also would provide that a juvenile court would be known as the Informal Juvenile and Traffic Court when a juvenile hearing officer hears a case pursuant to these provisions.

Existing law provides that where a petition has been filed in juvenile court alleging that a minor has engaged in criminal conduct, notice of hearing and a copy of the petition shall be served, as specified.

The bill would create the Expedited Youth Accountability Program to be operative in Los Angeles County, and in other counties upon approval of the board of supervisors, as specified. The program would provide for the issuance of citations requiring the appearance of minors not detained for any felony or misdemeanor offense, and not cited to the Informal Juvenile and Traffic Court, before the juvenile court. It would require participating counties to establish deadlines that would ensure that a case brought pursuant to these provisions would be heard within 60 calendar days after the minor is cited. The citation would include a detailed description of the person and a written promise by that person to appear or a notice to appear, as specified. It also would require the issuance of such a citation to the parent or guardian of a minor. Failure to appear would be a misdemeanor. Because the bill would both establish a new crime and expand the definition of a crime by requiring specified statements to be made under penalty of perjury as well as impose new duties on local juvenile justice systems similar to those imposed by the creation of a new crime, it would establish a state-mandated local program.

This bill would incorporate additional changes to Section 256 of the Welfare and Institutions Code proposed by SB 810, to be operative only if this bill and SB 810 are both enacted and become effective on or before January 1, 1998, and this bill is enacted last.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.



This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 255 of the Welfare and
2 Institutions Code is amended to read:

3 255. The judge of the juvenile court, or in counties
4 having more than one judge of the juvenile court the
5 presiding judge of the juvenile court or the senior judge
6 if there is no presiding judge, may appoint one or more
7 persons of suitable experience, who may be judges of the
8 municipal court or a probation officer or assistant or
9 deputy probation officers, to serve as juvenile hearing
10 officers on a full-time or part-time basis. A hearing officer
11 shall serve at the pleasure of the appointing judge, and
12 unless the appointing judge makes his or her order
13 terminating the appointment of a hearing officer, the
14 hearing officer shall continue to serve until the
15 appointment of his or her successor. The board of
16 supervisors shall determine whether any compensation
17 shall be paid to hearing officers, not otherwise employed
18 by a public agency or holding another public office, and
19 shall establish the amounts and rates thereof. An
20 appointment of a probation officer, assistant probation
21 officer, or deputy probation officer as a juvenile hearing
22 officer may be made only with the consent of the
23 probation officer. A juvenile court shall be known as the
24 Informal Juvenile and Traffic Court when a hearing
25 officer appointed pursuant to this section hears a case
26 specified in Section 256.

27 SEC. 2. Section 256 of the Welfare and Institutions
28 Code is amended to read:

29 256. Subject to the orders of the juvenile court, a
30 juvenile hearing officer may hear and dispose of any case
31 in which a minor under the age of 18 years as of the date
32 of the alleged offense is charged with (1) any violation of
33 the Vehicle Code not declared to be a felony, (2) a



1 violation of subdivision (m) of Section 602 of the Penal
2 Code, (3) a violation of the Fish and Game Code not
3 declared to be a felony, (4) a violation of any of the
4 equipment and registration provisions of the Harbors and
5 Navigation Code, (5) a violation of any provision of state
6 or local law relating to traffic offenses, loitering or curfew,
7 or evasion of fares on a public transportation system, as
8 defined by Section 99211 of the Public Utilities Code, (6)
9 a violation of Section 27176 of the Streets and Highways
10 Code, (7) a violation of Section 640 or 640a of the Penal
11 Code, (8) a violation of the rules and regulations
12 established pursuant to Sections 5003 and 5008 of the
13 Public Resources Code, (9) a violation of Section 33211.6
14 of the Public Resources Code, (10) a violation of Section
15 25658, 25658.5, 25661, or 25662 of the Business and
16 Professions Code, (11) a violation of subdivision (f) of
17 Section 647 of the Penal Code, (12) a misdemeanor
18 violation of Section 594 of the Penal Code, involving
19 defacing property with paint or any other liquid, (13) a
20 violation of subdivision (b), (d), or (e) of Section 594.1 of
21 the Penal Code, (14) a violation of subdivision (b) of
22 Section 11357 of the Health and Safety Code, (15) any
23 infraction, or (16) any misdemeanor for which the minor
24 is cited to appear by a probation officer pursuant to
25 subdivision (f) of Section 660.5.

26 *SEC. 2.5. Section 256 of the Welfare and Institutions*
27 *Code is amended to read:*

28 256. Subject to the orders of the juvenile court, a
29 ~~traffic~~ *juvenile* hearing officer may hear and dispose of
30 any case in which a minor under the age of 18 years as of
31 the date of the alleged offense is charged with (1) any
32 violation of the Vehicle Code not declared to be a felony,
33 (2) a violation of subdivision (m) of Section 602 of the
34 Penal Code, (3) a violation of the Fish and Game Code
35 not declared to be a felony, (4) a violation of any of the
36 equipment ~~and registration~~ provisions of the Harbors and
37 Navigation Code *or the vessel registration provisions of*
38 *the Vehicle Code*, (5) a violation of any provision of state
39 or local law relating to traffic offenses, loitering or curfew,
40 or evasion of fares on a public transportation system, as



1 defined by Section 99211 of the Public Utilities Code, (6)
2 a violation of Section 27176 of the Streets and Highways
3 Code, (7) a violation of Section 640 or 640a of the Penal
4 Code, (8) a violation of the rules and regulations
5 established pursuant to Sections 5003 and 5008 of the
6 Public Resources Code, (9) a violation of Section 33211.6
7 of the Public Resources Code, (10) a violation of Section
8 25658, 25658.5, 25661, or 25662 of the Business and
9 Professions Code, (11) a violation of subdivision (f) of
10 Section 647 of the Penal Code, (12) a misdemeanor
11 violation of Section 594 of the Penal Code, involving
12 defacing property with paint or any other liquid, (13) a
13 violation of subdivision (b), (d), or (e) of Section 594.1 of
14 the Penal Code, (14) a violation of subdivision (b) of
15 Section 11357 of the Health and Safety Code, ~~or~~ (15) any
16 infraction, *or (16) any misdemeanor for which the minor*
17 *is cited to appear by a probation officer pursuant to*
18 *subdivision (f) of Section 660.5.*

19 SEC. 3. Section 256.5 of the Welfare and Institutions
20 Code is amended to read:

21 256.5. A juvenile hearing officer may request the
22 juvenile court judge or referee to issue a warrant of arrest
23 against a minor who is issued and signs a written notice
24 to appear for any violation listed in Section 256 and who
25 fails to appear at the time and place designated in the
26 notice. The juvenile court judge or referee may issue and
27 have delivered for execution a warrant of arrest against
28 a minor within 20 days after the minor's failure to appear
29 as promised or within 20 days after the minor's failure to
30 appear after a lawfully granted continuance of his or her
31 promise to appear. A juvenile hearing officer who is also
32 a referee or juvenile court judge may personally issue the
33 warrant of arrest.

34 SEC. 4. Section 257 of the Welfare and Institutions
35 Code is amended to read:

36 257. (a) With the consent of the minor, a hearing
37 before a juvenile hearing officer, or a hearing before a
38 referee or a judge of the juvenile court, where the minor
39 is charged with a traffic offense or a nontraffic offense as
40 specified in this section, may be conducted upon an exact



1 legible copy of a written notice given pursuant to Article
 2 2 (commencing with Section 40500) of Chapter 2 of
 3 Division 17 or Section 41103 of the Vehicle Code, or an
 4 exact legible copy of a written notice given pursuant to
 5 Chapter 5C (commencing with Section 853.6) of Title 3
 6 of Part 2 of the Penal Code when the offense charged is
 7 a violation listed in Section 256, or an exact legible copy
 8 of a citation as set forth in subdivision (e) of Section 660.5,
 9 in lieu of a petition as provided in Article 16
 10 (commencing with Section 650).

11 (b) Prior to the hearing, the judge, referee, or juvenile
 12 hearing officer may request the probation officer to
 13 commence a proceeding as provided in Article 16
 14 (commencing with Section 650), in lieu of a hearing in
 15 Informal Juvenile and Traffic Court.

16 SEC. 5. Section 258 of the Welfare and Institutions
 17 Code is amended to read:

18 258. (a) Upon a hearing conducted in accordance
 19 with Section 257, and upon either an admission by the
 20 minor of the commission of a violation charged, or a
 21 finding that the minor did in fact commit the violation,
 22 the judge, referee, or juvenile hearing officer may do any
 23 of the following:

- 24 (1) Reprimand the minor and take no further action.
- 25 (2) Direct that the probation officer undertake a
 26 program of supervision of the minor for a period not to
 27 exceed six months, in addition to or in place of the
 28 following orders.
- 29 (3) Order that the minor pay a fine up to the amount
 30 that an adult would pay for the same violation, unless the
 31 violation is otherwise specified within this section, in
 32 which case the fine shall not exceed two hundred fifty
 33 dollars (\$250). This fine may be levied in addition to or in
 34 place of the following orders and the court may waive any
 35 or all of this fine, if the minor is unable to pay. In
 36 determining the minor's ability to pay, the court shall not
 37 consider the ability of the minor's family to pay.
- 38 (4) Subject to the minor's right to a restitution hearing,
 39 order that the minor pay restitution to the victim, in lieu
 40 of all or a portion of the fine specified in paragraph (3).



1 The total dollar amount of the fine, restitution, and any
2 program fees ordered pursuant to paragraph (9) shall not
3 exceed the maximum amount which may be ordered
4 pursuant to paragraph (3). Nothing in this paragraph
5 shall be construed to limit the right to recover damages,
6 less any amount actually paid in restitution, in a civil
7 action.

8 (5) Order that the driving privileges of the minor be
9 suspended or restricted as provided in the Vehicle Code
10 or, notwithstanding Section 13203 of the Vehicle Code or
11 any other provision of law, when the Vehicle Code does
12 not provide for the suspension or restriction of driving
13 privileges, that, in addition to any other order, the driving
14 privileges of the minor be suspended or restricted for a
15 period of not to exceed 30 days.

16 ~~(6) Order that the minor attend traffic school over a~~
17 ~~period not to exceed 60 days if the violation involved a~~
18 ~~traffic offense.~~

19 *(6) In the case of a traffic related offense, order the*
20 *minor to attend a licensed traffic school, or other court*
21 *approved program of traffic school instruction pursuant*
22 *to Chapter 1.5 (commencing with Section 11200) of*
23 *Division 5 of the Vehicle Code, to be completed by the*
24 *juvenile within 60 days of the court order.*

25 (7) Order that the minor produce satisfactory
26 evidence that the vehicle or its equipment has been made
27 to conform with the requirements of the Vehicle Code
28 pursuant to Section 40150 of the Vehicle Code if the
29 violation involved an equipment violation.

30 (8) Order that the minor perform community service
31 work in a public entity or any private nonprofit entity, for
32 not more than 50 hours over a period of 60 days, during
33 times other than his or her hours of school attendance or
34 employment. Work performed pursuant to this
35 subparagraph shall not exceed 30 hours during any 30-day
36 period. The timeframes established by this subparagraph
37 shall not be modified except in unusual cases where the
38 interests of justice would best be served. When the order
39 to work is made by a referee or a traffic hearing officer,
40 it shall be approved by a judge of the juvenile court.



1 For the purposes of this subparagraph, a judge, referee,
2 or juvenile hearing officer shall not, without the consent
3 of the minor, order the minor to perform work with a
4 private nonprofit entity that is affiliated with any religion.

5 (9) In the case of a misdemeanor, order that the minor
6 participate in and complete a counseling or educational
7 program, or, if the offense involved a violation of a
8 controlled substance law, a drug treatment program, if
9 those programs are available. Any fees for participation
10 shall be subject to the right to a hearing as the minor's
11 ability to pay and shall not, together with any fine or
12 restitution order, exceed the maximum amount that may
13 be ordered pursuant to paragraph (3).

14 (10) Require that the minor attend a school program
15 without unexcused absence.

16 (11) If the offense is a misdemeanor committed
17 between 10 p.m. and 6 a.m., require that the minor be at
18 his or her legal residence at hours to be specified by the
19 juvenile hearing officer between the hours of 10 p.m. and
20 6 a.m., except for a medical or other emergency, unless
21 the minor is accompanied by his or her parent, guardian,
22 or other person in charge of the minor. The maximum
23 length of an order made pursuant to this paragraph shall
24 be six months from the effective date of the order.

25 (12) Make any or all of the following orders with
26 respect to a violation of the Fish and Game Code which
27 is not charged as a felony:

28 (A) That the fishing or hunting license involved be
29 suspended or restricted.

30 (B) That the minor work in a park or conservation
31 area for a total of not to exceed 20 hours over a period not
32 to exceed 30 days, during times other than his or her hours
33 of school attendance or employment.

34 (C) That the minor forfeit, pursuant to Section 12157
35 of the Fish and Game Code, any device or apparatus
36 designed to be, and capable of being, used to take birds,
37 mammals, fish, reptiles, or amphibia and which was used
38 in committing the violation charged. The judge, referee,
39 or juvenile hearing officer shall, if the minor committed
40 an offense which is punishable under Section 12008 of the



1 Fish and Game Code, order the device or apparatus
2 forfeited pursuant to Section 12157 of the Fish and Game
3 Code.

4 (13) If the violation charged is of an ordinance of a city,
5 county, or local agency relating to loitering, curfew, or
6 fare evasion on a public transportation system, as defined
7 by Section 99211 of the Public Utilities Code, or is a
8 violation of Section 640 or 640a of the Penal Code, make
9 the order that the minor shall perform community
10 service for a total time not to exceed 20 hours over a
11 period not to exceed 30 days, during times other than his
12 or her hours of school attendance or employment.

13 (b) The judge, referee, or juvenile hearing officer shall
14 retain jurisdiction of the case until all orders made under
15 this section have been fully complied with.

16 SEC. 6. Section 260 of the Welfare and Institutions
17 Code is amended to read:

18 260. A juvenile hearing officer shall promptly furnish
19 a written report of his or her findings and orders to the
20 clerk of the juvenile court. The clerk of the juvenile court
21 shall promptly transmit an abstract of those findings and
22 orders to the Department of Motor Vehicles.

23 SEC. 7. Section 261 of the Welfare and Institutions
24 Code is amended to read:

25 261. Subject to the provisions of Section 262, all orders
26 of a juvenile hearing officer shall be immediately
27 effective.

28 SEC. 8. Section 262 of the Welfare and Institutions
29 Code is amended to read:

30 262. Upon motion of the minor or his or her parent or
31 guardian for good cause, or upon his or her own motion,
32 a judge of the juvenile court may set aside or modify any
33 order of a juvenile hearing officer, or may order or
34 himself or herself conduct a rehearing. If the minor or
35 parent or guardian has made a motion that the judge set
36 aside or modify the order or has applied for a rehearing,
37 and the judge has not set aside or modified the order or
38 ordered or conducted a rehearing within 10 days after the
39 date of the order, the motion or application shall be
40 deemed denied as of the expiration of that period.



1 SEC. 9. Section 263 of the Welfare and Institutions
2 Code is amended to read:

3 263. At any time prior to the final disposition of a
4 hearing pursuant to Section 257, the judge, referee, or
5 juvenile hearing officer may, on motion of the minor, his
6 or her parent, or guardian, or on its own motion, transfer
7 the case to the county of the minor's residence for further
8 proceedings pursuant to Sections 258, 260, 261, and 262.

9 SEC. 10. Section 660.5 is added to the Welfare and
10 Institutions Code, to read:

11 660.5. (a) This section shall be known as the
12 Expedited Youth Accountability Program. It shall be
13 operative in the superior court in Los Angeles County. It
14 shall also be operative in any other county in which a
15 committee consisting of the sheriff, the chief probation
16 officer, the district attorney, the public defender, and the
17 presiding judge of the superior court votes to participate
18 in the program, upon approval by the board of
19 supervisors.

20 (b) It is the intent of the Legislature to hold
21 nondetained, delinquent youth accountable for their
22 crimes in a swift and certain manner.

23 (c) Each county participating in the Expedited Youth
24 Accountability Program shall establish agreed upon time
25 deadlines for law enforcement, probation, district
26 attorney, and court functions which shall assure that a
27 case which is to proceed pursuant to this section shall be
28 ready to be heard within 60 calendar days after the minor
29 is cited to the court.

30 (d) (1) Notwithstanding Sections 658, 659, and 660, if
31 a minor is not detained for any misdemeanor or felony
32 offense and is not cited to Informal Juvenile and Traffic
33 Court pursuant to paragraphs (1) to (15), inclusive, of
34 Section 256 and Section 853.6a of the Penal Code, the
35 peace officer or probation officer releasing the minor
36 shall issue a citation and obtain a written promise to
37 appear in juvenile court, or record the minor's refusal to
38 sign the promise to appear and serve a notice to appear
39 in juvenile court. The appearance shall not be set for
40 more than 60 calendar days nor less than 10 calendar days



1 from the issuance of the citation. If the 60th day falls on
2 a court holiday, the appearance date shall be on the next
3 date that the court is in session. The date set for the
4 appearance of the minor shall allow for sufficient time for
5 the probation department to evaluate eligible minors for
6 informal handling under Section 654 or any other
7 disposition provided by law. However, nothing in this
8 section shall be construed to limit or conflict with Sections
9 653.1 and 653.5.

10 (2) Upon receipt of the citation and petition, but in no
11 event less than 72 hours, excluding nonjudicial days and
12 holidays prior to the hearing, the clerk of the juvenile
13 court shall issue a copy of the citation and petition to the
14 public defender or the minor's attorney of record. If a
15 copy of the citation and petition is not provided at least
16 72 hours, excluding nonjudicial days and holidays prior to
17 the hearing, it shall be grounds to request a continuance
18 pursuant to Sections 682 and 700. At a hearing conducted
19 under Section 700, the minor and minor's parent or
20 guardian shall be furnished a copy of the petition and any
21 other material required to be provided under Section 659.

22 (3) The original citation and promise or notice to
23 appear shall be retained by the court if a petition is filed.
24 In addition, there shall be three copies of the citation and
25 promise or notice to appear, which shall be distributed as
26 follows:

27 (A) One copy shall be provided to the person to whom
28 the citation is issued.

29 (B) One copy shall be provided to the probation
30 department.

31 (C) If a petition is requested, the second copy of the
32 citation shall go to the district attorney along with the
33 petition request, and the third copy shall be retained by
34 the agency issuing the citation.

35 (4) The original citation shall include a copy of all
36 police reports relating to the citation and a petition
37 request. The citation shall contain the following
38 information:

39 (A) Date, time, and location of the issuance of the
40 citation.



1 (B) The name, address, telephone number if known,
2 driver's license number, age, date of birth, sex, race,
3 height, weight, hair color, and color of eyes of the person
4 to whom the citation is issued.

5 (C) A list of the offenses and the location where the
6 offense or offenses were committed.

7 (D) Date and time of the required court appearance.

8 (E) Address of the juvenile court where the person to
9 whom the citation is issued is to appear.

10 (F) A preprinted promise to appear which is signed by
11 the person to whom the citation is issued, or where the
12 person refused to sign the written promise, the notice to
13 appear.

14 (G) A preprinted declaration under penalty of perjury
15 that the above information is true and correct, signed by
16 the peace officer or probation officer issuing the citation.

17 (H) A statement that the failure to appear is
18 punishable as a misdemeanor.

19 (e) The minor's parent or guardian shall be issued a
20 citation in the same manner as described in subdivision
21 (b).

22 (f) The willful failure to appear in court pursuant to a
23 citation or notice issued as required pursuant to this
24 section is a misdemeanor.

25 (g) (1) Notwithstanding Section 662, if a parent or
26 guardian to whom a citation has been issued pursuant to
27 this section fails to appear, a warrant of arrest may issue
28 for that person. A warrant of arrest may also issue for a
29 parent or guardian who is not personally served where
30 efforts to effect personal service have been unsuccessful,
31 upon an affidavit, under penalty of perjury, signed by a
32 peace officer stating facts sufficient to establish that all
33 reasonable efforts to locate the person have failed or that
34 the person has willfully evaded service of process.

35 (2) Notwithstanding Section 663, if a minor to whom
36 a citation has been issued pursuant to this section fails to
37 appear, and the minor's parent or guardian has either
38 appeared or the prerequisite conditions for issuing a
39 warrant against the minor's parent or guardian under



1 paragraph (1) have been met, a warrant of arrest may
2 issue for the minor.

3 (3) A warrant of arrest may also issue for a minor who
4 is not personally served where each of the following
5 occur:

6 (A) Efforts to effect personal service have been
7 unsuccessful.

8 (B) An affidavit is submitted under penalty of perjury,
9 signed by a peace officer, stating facts sufficient to
10 establish that all reasonable efforts to locate the minor
11 have failed or that minor has willfully evaded service of
12 process.

13 (C) The minor's parent or guardian has either
14 appeared or the prerequisite conditions for issuing a
15 warrant against the minor's parent or guardian under
16 paragraph (1) have been met.

17 (h) (1) Notwithstanding Section 654 or any other
18 provision of law, a probation officer in a county in which
19 this subdivision is applicable may, in lieu of filing a
20 petition or proceeding under Section 654, issue a citation
21 in the form described in subdivision (d) to the Informal
22 Juvenile and Traffic Court pursuant to Section 256 for any
23 misdemeanor except the following:

- 24 (A) Any crime involving a firearm.
- 25 (B) Any crime involving violence.
- 26 (C) Any crime involving a sex-related offense.
- 27 (D) Any minor who has previously been declared a
28 ward of the court.
- 29 (E) Any minor who has previously been referred to
30 juvenile traffic court pursuant to this section.

31 (2) This subdivision shall apply only if the case will be
32 heard by a juvenile hearing officer who meets the
33 minimum qualifications of a juvenile court referee and
34 only in those counties in which a committee consisting of
35 the sheriff, the chief probation officer, the district
36 attorney, the public defender, and the presiding judge of
37 the superior court vote for this subdivision to apply and
38 then only upon approval of the board of supervisors. This
39 approval shall be required in Los Angeles and all other
40 counties participating in the program, and shall be in



1 addition to that required by subdivision (a) for
2 participation in the Expedited Youth Accountability
3 Program.

4 (3) In counties in which this subdivision is applicable,
5 the probation department shall conduct a risk and needs
6 assessment for each minor eligible for citation to the
7 Informal Juvenile and Traffic Court pursuant to
8 paragraph (1). The risk and needs assessment shall
9 consider the best interest of the minor and the protection
10 of the community. It shall also include an assessment of
11 whether the child has any significant problems in the
12 home, school, or community, whether the matter appears
13 to have arisen from a temporary problem within the
14 family which has been or can be resolved, and whether
15 any agency or other resource in the community is better
16 suited to serve the needs of the child, the parent or
17 guardian, or both.

18 (i) In the event that the probation officer places a
19 minor on informal probation or cites the minor to
20 Informal Juvenile and Traffic Court, or elects some other
21 lawful disposition not requiring the hearing set forth in
22 subdivision (b), the probation officer shall so inform the
23 minor and his or her parent or guardian no later than 72
24 hours, excluding nonjudicial days and holidays, prior to
25 the hearing, that a court appearance is not required.

26 (j) Except as modified by this section, the
27 requirements of this chapter shall remain in full force and
28 effect.

29 (k) This section shall be operative on January 1, 1998,
30 and shall be implemented in all branches of the juvenile
31 court in Los Angeles County on or before July 1, 1998.

32 (l) It is the intent of the Legislature that an interim
33 hearing be conducted by appropriate policy committees
34 in the Legislature prior to January 1, 2002, to examine the
35 success of the program in expediting punishment for
36 juvenile offenses, reducing delinquent behavior, and
37 promoting greater accountability on the part of juvenile
38 offenders.



1 (m) This section shall be repealed on January 1, 2003,
2 unless that date is deleted or extended by later legislation
3 enacted on or before that date.

4 SEC. 11. *Section 2.5 of this bill incorporates*
5 *amendments to Section 256 of the Welfare and*
6 *Institutions Code proposed by both this bill and SB 810.*
7 *It shall only become operative if (1) both bills are enacted*
8 *and become effective on or before January 1, 1998, (2)*
9 *each bill amends Section 256 of the Welfare and*
10 *Institutions Code, and (3) this bill is enacted after SB 810,*
11 *in which case Section 2 of this bill shall not become*
12 *operative.*

13 SEC. 12. No reimbursement is required by this act
14 pursuant to Section 6 of Article XIII B of the California
15 Constitution because the only costs that may be incurred
16 by a local agency or school district will be incurred
17 because this act creates a new crime or infraction,
18 eliminates a crime or infraction, or changes the penalty
19 for a crime or infraction, within the meaning of Section
20 17556 of the Government Code, or changes the definition
21 of a crime within the meaning of Section 6 of Article
22 XIII B of the California Constitution.

23 Notwithstanding Section 17580 of the Government
24 Code, unless otherwise specified, the provisions of this act
25 shall become operative on the same date that the act
26 takes effect pursuant to the California Constitution.

