

AMENDED IN SENATE JUNE 8, 2000
AMENDED IN ASSEMBLY MAY 26, 2000
AMENDED IN ASSEMBLY MARCH 30, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 2416

Introduced by Assembly Member Machado
(Principal coauthors: Assembly Members Rod Pacheco and
Reyes)
(Coauthors: Assembly Members Alquist, Briggs, Cunneen,
Davis, and Pescetti)
(Coauthor: Senator Rainey)

February 24, 2000

An act to add Title 4.9 (commencing with Section 4498) to Part 3 of the Penal Code, relating to adult detention facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 2416, as amended, Machado. County adult detention facilities.

Existing law directs the Board of Corrections to allocate and administer the moneys intended for county jails in the County Correctional Facilities Capital Expenditure and Youth Facilities Bond Act of 1988.

This bill would authorize the Board of Corrections to expend \$100,000,000 upon appropriation by the Legislature in the annual Budget Act, for purposes of awarding to counties on a competitive basis for the construction, expansion, renovation, *improvement*, and reconstruction of county adult

detention facilities. This bill would authorize up to 1¹/₂% of these funds to be used by the board for administration of the County Adult Detention Facilities Act, established by this bill. This bill would provide specified standards, funding schedules and procedures to be followed to determine which counties shall be awarded a grant pursuant to these provisions. This bill would require as a condition of receiving funds that counties provide local funds equal to 25% of the state funds awarded under these provisions.

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. Title 4.9 (commencing with Section
2 4498) is added to Part 3 of the Penal Code, to read:

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TITLE 4.9. COUNTY ADULT DETENTION
FACILITIES ACT

7 4498. This title shall be known and may be cited as the
8 County Adult Detention Facilities Act.

9 4498.1. (a) Upon appropriation by the Legislature in
10 the annual Budget Act, one hundred million dollars
11 (\$100,000,000) shall be made available to the Board of
12 Corrections for the purpose of awarding grants on a
13 competitive basis to counties for the construction,
14 expansion, renovation, *improvement*, and
15 reconstruction of county adult detention facilities. Up to
16 1¹/₂ percent of these moneys may be used by the board
17 for administration of this title.

18 (b) In awarding funds the board shall give priority to
19 counties with federally or locally court-imposed caps on
20 adult detention populations that have resulted in the
21 release of inmates prior to their scheduled release date.

22 (c) An application for funds shall be in the manner and
23 form prescribed by the board and pursuant to
24 recommendations of an allocation advisory committee
25 appointed by the board. From these recommendations an
26 allocation plan shall be developed and adopted by the



1 board. The allocation and advisory committee shall
2 convene upon notification by the board.

3 (d) The board shall also establish minimum standards,
4 funding schedules, and procedures that take into
5 consideration, but are not limited to, all of the following
6 for any project:

7 (1) Possession of site assurance for the project or
8 projects.

9 (2) Documentation of the need for the project or
10 projects.

11 (3) Adoption of a formal county plan to finance
12 construction of the proposed project or projects.

13 (4) Submittal of a preliminary staffing plan and
14 operating cost estimate for the project or projects.

15 (5) Submittal of architectural drawings, which shall be
16 approved by the board for compliance with minimum
17 adult detention facility standards, and approved by the
18 State Fire Marshal for compliance with fire safety and life
19 safety requirements.

20 (6) Documentation that the facilities will be safely
21 staffed and operated in compliance with the board's
22 standards set forth in Title 15 of the California Code of
23 Regulations.

24 (e) The board shall not be deemed a responsible
25 agency, as defined in Section 21069 of the Public
26 Resources Code, or otherwise be subject to the California
27 Environmental Quality Act (Division 13 (commencing
28 with Section 21000) of the Public Resources Code) for any
29 activities undertaken or funded pursuant to this title.

30 (f) As a condition of receiving funds, counties shall
31 contribute local funds in an amount equal to 25 percent
32 of the state funds awarded under this title.

33 (g) Funds appropriated for purposes of this title shall
34 be used to supplement, rather than supplant, funding for
35 facility projects.

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