

Introduced by Senator Runner

February 26, 2009

An act to amend Section 3004 of the Penal Code, relating to sex offenders.

LEGISLATIVE COUNSEL'S DIGEST

SB 504, as introduced, Runner. Sex offenders: monitoring by global positioning systems.

Existing law requires every inmate who has been convicted for any felony violation of a registerable sex offense or any attempt to commit one of those offenses who is committed to prison and released on parole, to be monitored by a global positioning system for life.

This bill would replace the term "inmate" as used above with "person."

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 3004 of the Penal Code is amended to
2 read:
3 3004. (a) Notwithstanding any other law, the parole authority
4 may require, as a condition of release on parole or reinstatement
5 on parole, or as an intermediate sanction in lieu of return to prison,
6 that an inmate or parolee agree in writing to the use of electronic
7 monitoring or supervising devices for the purpose of helping to
8 verify his or her compliance with all other conditions of parole.
9 The devices shall not be used to eavesdrop or record any
10 conversation, except a conversation between the parolee and the

1 agent supervising the parolee which is to be used solely for the
2 purposes of voice identification.

3 (b) Every ~~inmate~~ *person* who has been convicted for any felony
4 violation of a “registerable sex offense” described in subdivision
5 (c) of Section 290 or any attempt to commit any of the
6 above-mentioned offenses and who is committed to prison and
7 released on parole pursuant to Section 3000 or 3000.1 shall be
8 monitored by a global positioning system for life.

9 (c) Any inmate released on parole pursuant to this section shall
10 be required to pay for the costs associated with the monitoring by
11 a global positioning system. However, the Department of
12 Corrections and Rehabilitation shall waive any or all of that
13 payment upon a finding of an inability to pay. The department
14 shall consider any remaining amounts the inmate has been ordered
15 to pay in fines, assessments and restitution fines, fees, and orders,
16 and shall give priority to the payment of those items before
17 requiring that the inmate pay for the global positioning monitoring.