
Introduced by Senator Cogdill

February 9, 2010

An act to amend Section 3001 of the Penal Code, relating to parole.

LEGISLATIVE COUNSEL'S DIGEST

SB 992, as introduced, Cogdill. Parole: discharge.

Existing law, as amended by Proposition 83 of the November 7, 2006, statewide general election, provides for discharge from parole after a specified amount of time on parole and under specified circumstances.

This bill would make technical, nonsubstantive changes to existing law.

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 3001 of the Penal Code is amended to
2 read:
3 3001. (a) Notwithstanding any other provision of law, when
4 any person referred to in paragraph (1) of subdivision (b) of Section
5 3000 who was not imprisoned for committing a violent felony, as
6 defined in subdivision (c) of Section 667.5, has been released on
7 parole from the state prison, and has been on parole continuously
8 for one year since release from confinement, within 30 days, that
9 person shall be discharged from parole, unless the Department of
10 Corrections *and Rehabilitation* recommends to the Board of Prison
11 Terms *Parole Hearings* that the person be retained on parole and
12 the board, for good cause, determines that the person will be
13 retained. Notwithstanding any other provision of law, when any

1 person referred to in paragraph (1) of subdivision (b) of Section
2 3000 who was imprisoned for committing a violent felony, as
3 defined in subdivision (c) of Section 667.5, has been released on
4 parole from the state prison for a period not exceeding three years
5 and has been on parole continuously for two years since release
6 from confinement, or has been released on parole from the state
7 prison for a period not exceeding five years and has been on parole
8 continuously for three years since release from confinement, the
9 department shall discharge, within 30 days, that person from parole,
10 unless the department recommends to the board that the person be
11 retained on parole and the board, for good cause, determines that
12 the person will be retained. The board shall make a written record
13 of its determination and the department shall transmit a copy
14 thereof to the parolee.

15 (b) Notwithstanding any other provision of law, when any person
16 referred to in paragraph (2) of subdivision (b) of Section 3000 has
17 been released on parole from the state prison, and has been on
18 parole continuously for three years since release from confinement,
19 the board shall discharge, within 30 days, the person from parole,
20 unless the board, for good cause, determines that the person will
21 be retained on parole. The board shall make a written record of its
22 determination and the department shall transmit a copy thereof to
23 the parolee.

24 (c) Notwithstanding any other provision of law, when any person
25 referred to in paragraph (3) of subdivision (b) of Section 3000 has
26 been released on parole from the state prison, and has been on
27 parole continuously for six years since release from confinement,
28 the board shall discharge, within 30 days, the person from parole,
29 unless the board, for good cause, determines that the person will
30 be retained on parole. The board shall make a written record of its
31 determination and the department shall transmit a copy thereof to
32 the parolee.

33 (d) In the event of a retention on parole, the parolee shall be
34 entitled to a review by the parole authority each year thereafter
35 until the maximum statutory period of parole has expired.

36 (e) The amendments to this section made during the 1987–88
37 Regular Session of the Legislature shall only be applied
38 prospectively and shall not extend the parole period for any person

- 1 whose eligibility for discharge from parole was fixed as of the
- 2 effective date of those amendments.

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