

ASSEMBLY BILL

No. 2077

Introduced by Assembly Member Davis

February 23, 2012

An act to add Section 3453.5 to the Penal Code, and to add Section 328 to the Unemployment Insurance Code, relating to inmates.

LEGISLATIVE COUNSEL'S DIGEST

AB 2077, as introduced, Davis. Postrelease community supervision: employment opportunities.

Existing law establishes the Employment Development Department within the Labor and Workforce Development Agency for the purpose of job creation activities and administering the unemployment and disability insurance coverage systems. Existing law authorizes the department, by regulation, to prescribe the information required to be reported by employing units and employers subject to withholding tax.

Existing law requires persons serving a prison term for specified offenses, upon release, to be subject to community supervision provided by a county agency designated by each county's board of supervisors. Each person eligible for postrelease community supervision is required by existing law to enter into a postrelease community supervision agreement.

This bill would require the Employment Development Department to gather information as to specific employers that would be willing to employ people who have been incarcerated in a state prison or county jail. The bill would require the department to make a list of those employers, sorted by county, available to the public. The bill would also require the department to send the list to the supervising county agency and require the supervising county agency to give the list for

that county to a person who has entered into a postrelease community supervision agreement. By creating additional duties for county agencies, this bill would impose a state-mandated local program.

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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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 3453.5 is added to the Penal Code, to
2 read:

3 3453.5. The supervising county agency shall give each person
4 who enters into a postrelease community supervision agreement
5 a list, created pursuant to Section 328 of the Unemployment
6 Insurance Code, of employers in that county that have expressed
7 a willingness to employ people who have been incarcerated in a
8 state prison or county jail.

9 SEC. 2. Section 328 is added to the Unemployment Insurance
10 Code, to read:

11 328. (a) The department shall gather information as to specific
12 employers that are willing to employ people who have been
13 incarcerated in a state prison or county jail.

14 (b) The department shall make a list of employers that are
15 willing to employ people who have been incarcerated in a state
16 prison or county jail and shall make that list, sorted by county,
17 available to the public on the department’s Internet Web site and
18 upon request in the department’s offices.

19 (c) The department shall send the list created pursuant to
20 subdivision (b) and updates, as necessary, to the supervising county
21 agency described in subdivision (a) of Section 3451 of the Penal
22 Code.

23 SEC. 3. If the Commission on State Mandates determines that
24 this act contains costs mandated by the state, reimbursement to
25 local agencies and school districts for those costs shall be made

- 1 pursuant to Part 7 (commencing with Section 17500) of Division
- 2 4 of Title 2 of the Government Code.

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