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An act to amend Section 5075 of the Penal Code, relating to parole.



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THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 5075 of the Penal Code is amended to read:

5075. (a) Commencing July 1, 2005, there is hereby created the Board of Parole Hearings. As of July 1, 2005, any reference to the Board of Prison Terms in this or any other code refers to the Board of Parole Hearings. As of that date, the Board of Prison Terms is abolished.

(b) (1) The Governor shall appoint ~~14~~ 15 commissioners, subject to Senate confirmation, pursuant to this section. These commissioners shall be appointed and trained to hear only adult matters. ~~The terms of the commissioners shall expire as follows: eight on July 1, 2007, and nine on July 1, 2008. Successor~~ Except as specified in paragraph (2), commissioners shall hold office for terms of three years, each term to commence on the expiration date of the predecessor. Any appointment to a vacancy that occurs for any reason other than expiration of the term shall be for the remainder of the unexpired term. Commissioners are eligible for reappointment. ~~The~~

(2) (A) The term for the commissioner whose position was created by the act that added this paragraph shall begin on July 1, 2017.

(B) Two commissioners whose terms begin on July 1, 2017, shall be appointed for a term of one year. One of these commissioners may, but is not required to, be the commissioner whose position was created by the act that added this paragraph.

(C) Three commissioners, as selected by the Governor, whose terms began on July 1, 2016, shall serve a reduced term of two years.

(D) Terms of office subsequent to those described in subparagraphs (B) and (C) shall be governed by paragraph (1).



(3) The selection of persons and their appointment by the Governor and confirmation by the Senate shall reflect as nearly as possible a cross section of the racial, sexual, economic, and geographic features of the population of the state.

(c) The chair of the board shall be designated by the Governor periodically. The Governor may appoint an executive officer of the board, subject to Senate confirmation, who shall hold office at the pleasure of the Governor. The executive officer shall be the administrative head of the board and shall exercise all duties and functions necessary to insure that the responsibilities of the board are successfully discharged. The secretary shall be the appointing authority for all civil service positions of employment with the board.

(d) Each commissioner shall participate in hearings on each workday, except when it is necessary for a commissioner to attend training, en banc hearings or full board meetings, or other administrative business requiring the participation of the commissioner. For purposes of this subdivision, these hearings shall include parole consideration hearings, parole rescission hearings, and parole progress hearings.



LEGISLATIVE COUNSEL'S DIGEST

Bill No.

as introduced, _____.

General Subject: Board of Parole Hearings.

Existing law establishes the Board of Parole Hearings, which is composed of 14 commissioners appointed by the Governor, and subject to Senate confirmation, for staggered 3-year terms.

This bill would instead provide that the board is composed of 15 commissioners. The bill would also revise the term of office for existing commissioners, as specified, so that 5 commissioners would commence a new term on July 1 of each year.

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

