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An act to amend Section 3453 of the Penal Code, relating to postrelease
community supervision.



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

SECTION 1. Section 3453 of the Penal Code is amended to read:

3453. Postrelease community supervision shall include the following conditions:

- (a) The person shall be informed of the conditions of release.
 - (b) The person shall obey all laws.
 - (c) The person shall report to the supervising county agency within two working days of release from custody.
 - (d) The person shall follow the directives and instructions of the supervising county agency.
 - (e) The person shall report to the supervising county agency as directed by that agency.
 - (f) The person, and his or her residence and possessions, shall be subject to search at any time of the day or night, with or without a warrant, by an agent of the supervising county agency or by a peace officer.
 - (g) The person shall waive extradition if found outside the state.
 - (h) (1) The person shall inform the supervising county agency of the person's place of ~~residence, employment, education, or training.~~ residence and shall notify the supervising county agency of any change in residence, or the establishment of a new residence if the person was previously transient, within seven days of the change.
- (2) For purposes of this section, "residence" means one or more locations at which a person regularly resides, regardless of the number of days or nights spent there, such as a shelter or structure that can be located by a street address, including, but not limited to, a house, apartment building, motel, hotel, homeless shelter, and recreational



or other vehicle. If the person has no residence, he or she shall inform the supervising county agency that he or she is transient.

(i) (1) The person shall inform the supervising county agency ~~of any pending or anticipated changes in residence, employment, education, or training.~~ the person's place of employment, education, or training. The person shall inform the supervising agency of any pending or anticipated change in employment, education, or training.

(2) If the person enters into new employment, he or she shall inform the supervising county agency of the new employment within three business days of that entry.

(j) The person shall immediately inform the supervising county agency if he or she is arrested or receives a citation.

(k) The person shall obtain the permission of the supervising county agency to travel more than 50 miles from the person's place of residence.

(l) The person shall obtain a travel pass from the supervising county agency before he or she may leave the county or state for more than two days.

(m) The person shall not be in the presence of a firearm or ammunition, or any item that appears to be a firearm or ammunition.

(n) The person shall not possess, use, or have access to any weapon listed in Section 16140, subdivision (c) of Section 16170, Section 16220, 16260, 16320, 16330, or 16340, subdivision (b) of Section 16460, Section 16470, subdivision (f) of Section 16520, or Section 16570, 16740, 16760, 16830, 16920, 16930, 16940, 17090, 17125, 17160, 17170, 17180, 17190, 17200, 17270, 17280, 17330, 17350, 17360, 17700, 17705, 17710, 17715, 17720, 17725, 17730, 17735, 17740, 17745, 19100, 19200,



19205, 20200, 20310, 20410, 20510, 20610, 20611, 20710, 20910, 21110, 21310, 21810, 22010, 22015, 22210, 22215, 22410, 24310, 24410, 24510, 24610, 24680, 24710, 30210, 30215, 31500, 32310, 32400, 32405, 32410, 32415, 32420, 32425, 32430 32435, 32440, 32445, 32450, 32900, 33215, 33220, 33225, or 33600.

(o) (1) Except as provided in paragraph (2) and subdivision (p), the person shall not possess a knife with a blade longer than two inches.

(2) The person may possess a kitchen knife with a blade longer than two inches if the knife is used and kept only in the kitchen of the person's residence.

(p) The person may use a knife with a blade longer than two inches, if the use is required for that person's employment, the use has been approved in a document issued by the supervising county agency, and the person possesses the document of approval at all times and makes it available for inspection.

(q) The person shall waive any right to a court hearing prior to the imposition of a period of "flash incarceration" in a city or county jail of not more than 10 consecutive days for any violation of his or her postrelease supervision conditions.

(r) The person shall participate in rehabilitation programming as recommended by the supervising county agency.

(s) The person shall be subject to arrest with or without a warrant by a peace officer employed by the supervising county agency or, at the direction of the supervising county agency, by any peace officer when there is probable cause to believe the person has violated the terms and conditions of his or her release.



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(t) The person shall pay court-ordered restitution and restitution fines in the same manner as a person placed on probation.

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LEGISLATIVE COUNSEL'S DIGEST

Bill No.

as introduced, _____.

General Subject: Postrelease community supervision: residence.

Existing law generally requires that all persons released from prison on and after October 1, 2011, after serving a prison term for a felony, be subject to postrelease community supervision provided by the probation department in the county to which the person is being released for a period of 3 years immediately following release. Existing law requires that postrelease community supervision include specified conditions, including that the person inform the supervising county agency of the person's place of residence, employment, education, or training and of any pending or anticipated changes to the place of residence, employment, education, or training.

This bill would, for those purposes define "residence" as one or more locations at which a person regularly resides, regardless of the number of days or nights spent there, such as a shelter or structure that can be located by a street address, including, but not limited to, a house, apartment building, motel, hotel, homeless shelter, and



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recreational or other vehicle. The bill would require, if the person has no residence, that he or she inform the supervising county agency that he or she is transient. The bill would also require the person to inform the supervising county agency of any change in residence, or the establishment of a new residence if the person was previously transient, within 7 days of the change.

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



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