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An act to amend Section 4115.5 of the Penal Code, relating to corrections.



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

SECTION 1. Section 4115.5 of the Penal Code, as amended by Section 2 of Chapter 44 of the Statutes of 2014, is amended to read:

4115.5. (a) The board of supervisors of a county where, in the opinion of the sheriff or the director of the county department of corrections, adequate facilities are not available for prisoners who would otherwise be confined in its county adult detention facilities, may enter into an agreement with the board or boards of supervisors of one or more counties whose county adult detention facilities are adequate for and accessible to the first county to permit commitment of sentenced misdemeanants, persons sentenced pursuant to subdivision (h) of Section 1170, and any persons required to serve a term of imprisonment in county adult detention facilities as a condition of probation, with the concurrence of that county's sheriff or director of its county department of corrections. When the agreement is in effect, commitments may be made by the court.

(b) A county entering into an agreement with another county pursuant to subdivision (a) shall report annually to the Board of State and Community Corrections on the number of offenders who otherwise would be under that county's jurisdiction but who are now being ~~housed~~ incarcerated in another county's facility pursuant to subdivision (a) and the reason for needing to ~~house~~ incarcerate the offenders outside the county.

(c) This section shall become inoperative on July 1, ~~2018, 2021~~, and, as of January 1, ~~2019, 2022~~, is repealed, unless a later enacted statute, that becomes operative on or before January 1, ~~2019, 2022~~, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 2. Section 4115.5 of the Penal Code, as amended by Section 3 of Chapter 44 of the Statutes of 2014, is amended to read:

4115.5. (a) The board of supervisors of a county where adequate facilities are not available for prisoners who would otherwise be confined in its county adult detention facilities may enter into an agreement with the board or boards of supervisors of one or more nearby counties whose county adult detention facilities are adequate and are readily accessible from the first county to permit commitment of misdemeanants, and any persons required to serve a term of imprisonment in county adult detention facilities as a condition of probation, to a jail in a county having adequate facilities that is a party to the agreement. That agreement shall make provision for the support of a person so committed or transferred by the county from which he or she is committed. When that agreement is in effect, commitments may be made by the court and support of a person so committed shall be a charge upon the county from which he or she is committed.

(b) This section shall become operative on July 1, ~~2018, 2021~~.



LEGISLATIVE COUNSEL'S DIGEST

Bill No.
as introduced, _____.
General Subject: Corrections: inmate transfers.

Existing law, until July 1, 2018, authorizes the board of supervisors of a county where, in the opinion of the county sheriff or the director of the county department of corrections, adequate facilities are not available for the confinement of its prisoners, to enter into an agreement with another county for the transfer and confinement of misdemeanants, persons sentenced to a county jail, and persons required to serve a term of imprisonment in county adult detention facilities as a condition of probation with the concurrence of that county's sheriff or director of its county department of corrections. Existing law also, until July 1, 2018, requires a county entering into a transfer agreement with another county to report annually to the Board of State and Community Corrections on the number of offenders who otherwise would be under that county's jurisdiction but who are now being housed in another county's facility and the reason for needing to house the offenders outside the county. Existing law, on July 1, 2018, would delete, among other things, the authority of the board of supervisors of a county to make that agreement with regards to persons sentenced to the county jail.

This bill would extend, until July 1, 2021, the operation of the authority scheduled to repeal on July 1, 2018, and would delay, until July 1, 2021, the operative date of the authority scheduled to be deleted on July 1, 2018.

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

