

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: May 7, 2008
POSITION: Neutral

BILL NUMBER: SB 1241
AUTHOR: B. Margett

BILL SUMMARY: Public Safety

This bill would make technical and corrective changes to various code sections relating to criminal justice laws.

FISCAL SUMMARY

According to the California Department of Corrections and Rehabilitation (CDCR) and the California Department of Justice (DOJ), any costs as a result of this measure would be minor and absorbable.

SUMMARY OF CHANGES

Amendments to this bill since our analysis of the April 23, 2008 version are minor and do not alter our position.

COMMENTS

Existing law:

- Requires each class of public officers or employees declared by law to be peace officers to be a high school graduate, pass the General Education Development (GED) Test indicating high school graduation level, pass the California High School Proficiency Examination, or have attained a two-year or four-year degree from an accredited college or university.
- Requires that beginning January 1, 1991, the DOJ shall report on the activities of the Crack Down Task Force Program.
- Requires the DOJ to report annually on its activities and on the accomplishments of the Clandestine Laboratory Program to the Legislature and to federal, state, and local law enforcement agencies, as well as to other interested groups.
- Requires moneys collected pursuant to Penal Code Section 290 (c) to be directed by the DOJ and transferred to the DOJ's DNA Testing Fund.
- Provides that the sale to, purchase by, or possession of short-barreled shotguns or short-barreled rifles by specified entities is authorized under specified conditions.

This bill would:

- Provide that public officers or employees declared by law to be peace officers shall be a high school graduate; pass the GED Test indicating high school graduation level; pass the California High School Proficiency Examination; or have attained a two-year, four-year, or advanced degree from an accredited college or university, as specified.
- Remove the requirement that the DOJ report on the activities of the Crack Down Task Force Program.

(Continued)

COMMENTS (continued)

This bill would: (continued)

- Repeal the requirement that DOJ shall report annually on its activities and on the accomplishments of the Clandestine Laboratory Program to the Legislature and to federal, state, and local law enforcement agencies, as well as to other interested groups.
- Rename the DOJ's "DNA Testing Fund" the "DNA Identification Fund."
- Delete the requirement that moneys collected from persons convicted under Penal Code Section 290(c) shall be directed to the DOJ and transferred to the DOJ's DNA Testing Fund.

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| Analyst/Principal (0234) J. Osborn | Date | Program Budget Manager Todd Jerue | Date |
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| Department Deputy Director | Date |
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| Governor's Office: | By: | Date: | Position Approved _____ |
| | | | Position Disapproved _____ |

BILL ANALYSIS Form DF-43 (Rev 03/95 Buff)

BILL ANALYSIS/ENROLLED BILL REPORT--(CONTINUED)
AUTHOR **AMENDMENT DATE**

Form DF-43
BILL NUMBER

B. Margett

May 7, 2008

SB 1241

- Add inmates and wards as persons that the members of CDCR's Office of Correctional Safety shall have the primary duty to investigate and apprehend in the violation of criminal law discovered while performing the usual and authorized duties of employment.
- Exempt the CDCR and the DOJ from specific provisions concerning the sale to, purchase by, or possession of short-barreled shotguns or short-barreled rifles.
- Provide that the DOJ shall be required to submit an annual report to the Legislature when the California Gang, Crime, and Violence Prevention Partnership Program receives funds.
- Make other technical and corrective changes to various code sections relating to criminal justice.

| Code/Department Agency or Revenue Type | SO | (Fiscal Impact by Fiscal Year) | | | | | | | Fund Code |
|----------------------------------------------|----|--------------------------------|----|-----------|----------|---------------|-------|-----------|--------------|
| | LA | (Dollars in Thousands) | | | | | | | |
| | CO | PROP | | | | | | | |
| | RV | 98 | FC | 2008-2009 | FC | 2009-2010 | FC | 2010-2011 | |
| 5225/Corr & Rehab | SO | No | | ----- | No/Minor | Fiscal Impact | ----- | | 0001 |
| 0820/Justice | SO | No | | ----- | No/Minor | Fiscal Impact | ----- | | 0001 |
| 1308/Penlt Felony | RV | No | | -- | | -- | | -- | 0001 |