

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: June 1, 2011
POSITION: Neutral
SPONSOR: LA County Professional Peace Officers Association and LA County Sheriff's Department

BILL NUMBER: SB 406
AUTHOR: C. Liu
RELATED BILLS: AB 109 and SB 390

BILL SUMMARY: Battery: Security Officers and Custodial Officers

This bill would expand the crime of battery against a public safety officer to include security officers and custody assistants.

FISCAL SUMMARY

Because the punishment for this crime would result in a fine or incarceration in the local jail only, this bill would have no fiscal impact to the state.

Any local government costs resulting from the mandate in this measure would not be state-reimbursable, because the mandate only involves the definition of a crime or the penalty for conviction of a crime.

COMMENTS

The Department of Finance is neutral on this bill. Although we have no fiscal concerns with this bill, it should be noted that this bill could increase the statewide adult jail population which could impact the flexibility of local counties to manage their jail populations.

Current law provides for the crime of battery against specified public safety officers and medical care providers, when the offender knows, or reasonably should know, that the victim is such a person. When injury is not inflicted on the victim by the battery, this crime is punishable by a fine, imprisonment in the county jail, or by both a fine and imprisonment.

This bill would expand this battery law to include security officers and custody assistants.

This bill also incorporates additional changes made by AB 109, which has been chaptered but is not yet operative. This bill also incorporates additional changes proposed by SB 390 to become operative only if this bill and SB 390 are chaptered and this bill is chaptered last.

| Code/Department Agency or Revenue Type | (Fiscal Impact by Fiscal Year) | | | | | | | | Fund Code | |
|----------------------------------------------|--------------------------------|------------------------|------|----|-----------|----------|---------------|-------|--------------|-----------|
| | SO | (Dollars in Thousands) | | | | | | | | |
| | LA | CO | PROP | FC | 2010-2011 | FC | 2011-2012 | FC | | 2012-2013 |
| 5225/Corr & Rehab | SO | No | | | ----- | No/Minor | Fiscal Impact | ----- | | 0001 |

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| Analyst/Principal (0233) J. Howard | Date | Assistant Program Budget Manager Zlatko Theodorovic | 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)