
UNFINISHED BUSINESS

Bill No: SB 1260
Author: Durazo (D)
Amended: 8/25/22
Vote: 21

PRIOR SENATE VOTES NOT RELEVANT

ASSEMBLY FLOOR: 55-19, 8/29/22 - See last page for vote

SUBJECT: State summary criminal history information

SOURCE: Author

DIGEST: This bill specifies, contingent upon the passage of SB 731 (Durazo) of the current legislative session, that discretionary and automatic conviction record relief does not make a person eligible to provide or receive payment for providing in-home supportive services or "waiver personal care services" if they are otherwise ineligible under state or federal law or regulation.

Assembly Amendments:

- 1) Delete the Senate version of the bill.
- 2) Address chaptering issues between SB 731 (Durazo) and the public safety trailer bill AB 200 (Chapter 58, Statutes of 2022) by repealing Section 30 of Penal Code § 11105 as enacted by SB 200, contingent on enactment of SB 731.
- 3) Contain double-jointing language for SB 1106 (Wiener) and SB 731 (Durazo) to address potential conflicts.
- 4) Fix a concern with SB 731 (Durazo) raised by the Department of Health Care Services so that people who would still be ineligible under federal law are not inadvertently cleared to work.
- 5) Make technical and clarifying changes to SB 731 (Durazo) at the request of the Department of Social Services.

ANALYSIS:

Existing law:

- 1) Authorizes a person who has met specified criteria to withdraw their plea of guilty to a jail felony under specified circumstances.
- 2) Requires the Department of Justice, on a monthly basis, starting January 1, 2022, to review the records in the statewide criminal justice databases and identify persons who are eligible for automatic conviction record relief.

This bill:

- 1) Specifies, contingent upon the passage of SB 731 (Durazo), that discretionary and automatic conviction record relief does not make a person eligible to provide or receive payment for providing in-home supportive services or "waiver personal care services" if they are otherwise ineligible under state or federal law or regulation.
- 2) Requires a record relief order to state, and the defendant to be advised, that relief does not relieve the defendant of the obligation to disclose the conviction in response to any direct question in an application for enrollment as a provider of in-home supportive services and "waiver of personal care services," as specified.
- 3) Makes additional changes to avoid chaptering out recently enacted law – AB 200, Public Safety Budget Trailer Bill, (Public Safety Committee, Chapter 58, Statutes of 2022) – if SB 731 (Durazo) passes.
- 4) Double-joints this bill with SB 1106 (Wiener) of the current legislative session to avoid chaptering out.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 8/29/22)

None received

OPPOSITION: (Verified 8/29/22)

None received

ASSEMBLY FLOOR: 55-19, 8/29/22

AYES: Aguiar-Curry, Alvarez, Arambula, Bauer-Kahan, Bennett, Berman, Bloom, Boerner Horvath, Mia Bonta, Bryan, Calderon, Carrillo, Cooley, Daly, Mike Fong, Friedman, Gabriel, Cristina Garcia, Eduardo Garcia, Gipson, Gray, Grayson, Haney, Holden, Jones-Sawyer, Kalra, Lee, Levine, Low, McCarty, McKinnor, Medina, Mullin, Muratsuchi, Nazarian, O'Donnell, Quirk, Quirk-Silva, Ramos, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Salas, Santiago, Stone, Ting, Villapudua, Ward, Akilah Weber, Wicks, Wilson, Wood, Rendon

NOES: Bigelow, Chen, Choi, Cunningham, Megan Dahle, Davies, Fong, Gallagher, Kiley, Lackey, Mathis, Nguyen, Patterson, Petrie-Norris, Seyarto, Smith, Valladares, Voepel, Waldron

NO VOTE RECORDED: Cervantes, Cooper, Flora, Irwin, Maienschein, Mayes

Prepared by: Mary Kennedy / PUB. S. /
8/29/22 23:50:01

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