

**Senate Bill No. 866**

**CHAPTER 8**

An act relating to sexually violent predators, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor May 17, 2007. Filed with  
Secretary of State May 17, 2007.]

LEGISLATIVE COUNSEL'S DIGEST

SB 866, Runner. Mental health: sexually violent predators.

Existing law requires, prior to release from the custody of the Department of Corrections and Rehabilitation of a person who has been convicted of certain crimes of a sexual nature, the director to refer that person to the State Department of Mental Health for evaluation if the director determines that person may be a sexually violent predator.

Under existing law, if the evaluation by the State Department of Mental Health determines that the person is a sexually violent predator, the department is required to forward a request for the filing of a petition to the counsel designated by the county in which the person was convicted. The law authorizes civil commitment of the person to the State Department of Mental Health as a sexually violent predator, for treatment in a secure facility, if the person is adjudicated to be likely to engage in sexually violent criminal behavior if discharged.

This bill would appropriate \$12,532,000 from the General Fund to the State Department of Mental Health for support of this program during the 2006–07 fiscal year, pursuant to a prescribed schedule.

This bill would declare that it is to take effect immediately as an urgency statute.

Appropriation: yes.

*The people of the State of California do enact as follows:*

SECTION 1. The sum of twelve million five hundred thirty-two thousand dollars (\$12,532,000) is hereby appropriated from the General Fund to the State Department of Mental Health for support of the Sexually Violent Predator program, provided for pursuant to Article 4 (commencing with Section 6600) of Chapter 2 of Part 2 of Division 6 of the Welfare and Institution Code, as follows:

(a) The sum of twelve million one hundred eighteen thousand dollars (\$12,118,000) to fund the increased number of sexually violent predator screenings, initial evaluations, and expert court testimony.

(b) The sum of four hundred fourteen thousand dollars (\$414,000) for administrative support, including the provision of hospital police officers to ensure public safety.

(c) Funds appropriated pursuant to this section that are not expended by June 30, 2007, shall revert to the General Fund.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to protect the health and safety of the people of California, it is necessary that this act take effect immediately.