

**ASSEMBLY BILL**

**No. 884**

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**Introduced by Assembly Member Cook**  
(Principal coauthor: Senator Berryhill)

February 17, 2011

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An act to add Section 290.55 to the Penal Code, relating to sex offenders.

LEGISLATIVE COUNSEL'S DIGEST

AB 884, as introduced, Cook. Sexually violent offenders: notification of offender registration by law enforcement.

Under existing law, specified law enforcement may provide information to the public about a person required to register as a sex offender, by whatever means the entity deems appropriate, when necessary to ensure the public safety based upon information available to the entity concerning that sex offender.

This bill would provide, in addition, that any law enforcement entity that is notified of the registration of a sex offender who was convicted of a sexually violent offense or a sex crime against a child under 14 years of age shall, within 5 days of the offender's registration, be required to provide, in writing, notice and information, as specified, to all persons living within 1,000 feet of the residence of the convicted sex offender and all schools and day care centers, the services of which are available to the residents of the area where the convicted sex offender resides. By requiring local law enforcement to provide specified notice regarding specified sex offenders to specified persons and entities, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

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

1 SECTION 1. Section 290.55 is added to the Penal Code, to  
2 read:

3 290.55. (a) Notwithstanding any other provision of law, any  
4 law enforcement entity notified of the registration of a person  
5 convicted and required to be registered as a sex offender under the  
6 Sex Offender Registration Act (Chapter 5.5 (commencing with  
7 Section 290) of Title 9 of Part 1 of the Penal Code) shall, within  
8 five days of the offender’s registration, be required to provide, in  
9 writing, notice and information, as described in Section 290.45,  
10 to the persons or entities specified in subdivision (b), if any of the  
11 following applies:

12 (1) The person has been adjudicated to be a sexually violent  
13 predator pursuant to Section 6600 of the Welfare and Institutions  
14 Code or has committed sexually violent crimes as specified in  
15 Section 292.

16 (2) The person was convicted of a sex offense as described in  
17 subdivision (c) of Section 290 or as specified in Section 294 against  
18 a child under 14 years of age.

19 (3) The person was convicted of a sexually violent offense or  
20 a sex crime against a child under 14 years of age, as specified in  
21 paragraphs (6) and (7) of subdivision (d) of Section 667.61.

22 (b) Notice of the registration of a sex offender, as required in  
23 subdivision (a), shall be provided to all of the following:

24 (1) All persons living within 1,000 feet of the residence of the  
25 convicted sex offender.

26 (2) The superintendent of the school district where the sex  
27 offender resides.

1 (3) The hiring officer of each nonpublic school, the services of  
2 which are available to the residents of the area where the convicted  
3 sex offender resides.

4 (4) The director, head teacher, or principal of every preschool  
5 program available to the residents of the area where the convicted  
6 sex offender resides.

7 (5) The administrator of each child day care center, the services  
8 of which are available to residents of the area where the convicted  
9 sex offender resides.

10 (6) The president or chief administrative officer of each  
11 institution of higher learning, the services of which are available  
12 to the residents of the area where the convicted sex offender  
13 resides.

14 SEC. 2. If the Commission on State Mandates determines that  
15 this act contains costs mandated by the state, reimbursement to  
16 local agencies and school districts for those costs shall be made  
17 pursuant to Part 7 (commencing with Section 17500) of Division  
18 4 of Title 2 of the Government Code.