

AMENDED IN ASSEMBLY SEPTEMBER 6, 2013

AMENDED IN ASSEMBLY SEPTEMBER 3, 2013

AMENDED IN ASSEMBLY AUGUST 27, 2013

**SENATE BILL**

**No. 105**

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**Introduced by Senators ~~Emmerson and Knight~~ *Knight and Emmerson***

January 10, 2013

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An act to amend Section 15 of Chapter 42 of the Statutes of 2012, to amend, repeal, and add Sections 19050.2 and 19050.8 of the Government Code, and to amend, repeal, and add Sections 2910, 11191, and 13602 of, and to add and repeal Sections 2915 and 6250.2 of, the Penal Code, relating to corrections, and making an appropriation therefor, to take effect immediately, bill related to the budget.

LEGISLATIVE COUNSEL'S DIGEST

SB 105, as amended, ~~Emmerson~~ *Knight*. Corrections.

(1) Existing law requires the Department of Corrections and Rehabilitation to close the California Rehabilitation Center located in Norco, California, no later than either December 31, 2016, or 6 months after the construction of three Level II dorm facilities.

This bill would suspend this requirement pending a review by the Department of Finance and the Department of Corrections and Rehabilitation that determines the facility can be closed.

(2) The California Constitution establishes the civil service, to include every officer and employee of the state, except as provided, and requires permanent appointment and promotion in the civil service to be made under a general system based on merit ascertained by competitive examination.

Existing law requires the appointing power in all cases not exempted by the California Constitution to fill positions by appointment, including cases of transfers, reinstatements, promotions, and demotions, in strict accordance with specified provisions of law, and requires that appointments to vacant positions be made from employment lists.

Existing law, subject to the approval of the State Personnel Board, allows an appointing agency to enter into arrangements with personnel agencies in other jurisdictions for the purpose of exchanging services and effecting transfers of employees.

This bill would, until January 1, 2017, make the private California City Correctional Center in California City an agency or jurisdiction for the purpose of exchanging services pursuant to the above provision and all related rules.

(3) Existing law allows the State Personnel Board to prescribe rules governing the temporary assignment or loan of employees within an agency or between agencies not to exceed 2 years, or between jurisdictions not to exceed 4 years, for specified purposes.

This bill would, until January 1, 2017, make the private California City Correctional Center in California City an agency or jurisdiction for the purpose of the above provision and all related rules for a period not to exceed 2 years.

(4) Existing law allows the Secretary of the Department of Corrections and Rehabilitation to enter into an agreement with a city, county, or city and county, to permit transfer of prisoners in the custody of the secretary to a jail or other adult correctional facility. Under existing law, prisoners transferred to a local facility remain under the legal custody of the department. Existing law prohibits any agreement pursuant to these provisions unless the cost per inmate in the facility is no greater than the average costs of keeping an inmate in a comparable facility of the department.

This bill would, until January 1, 2017, for purposes of entering into agreements pursuant to the above provisions, waive any process, regulation, or requirement relating to entering into those agreements. The bill would, until January 1, 2017, delete the provision requiring that prisoners transferred to a local facility remain under the legal custody of the department and would delete the requirement that no agreement be entered into unless the cost per inmate in the facility is no greater than the average costs of keeping an inmate in a comparable facility of the department. The bill would, until January 1, 2017, allow a transfer of prisoners to include inmates who have been sentenced to

the department but remain housed in a county jail, and would specify that these prisoners shall be under the sole legal custody and jurisdiction of the sheriff or other official having jurisdiction over the facility and not under the legal custody and jurisdiction of the department.

The bill would also, until January 1, 2017, allow the secretary to enter into one or more agreements in the form of a lease or operating agreement with private entities to obtain secure housing capacity in the state or in another state, upon terms and conditions deemed necessary and appropriate to the secretary. The bill would, until January 1, 2017, waive any process, regulation, or requirement that relates to the procurement or implementation of those agreements, except as specified. The bill would make the provisions of the California Environmental Quality Act inapplicable to these provisions.

(5) Existing law allows the Secretary of the Department of Corrections and Rehabilitation to establish and operate community correctional centers.

This bill would, until January 1, 2017, allow the secretary to enter into agreements for the transfer of prisoners to community correctional centers, and to enter into contracts to provide housing, sustenance, and supervision for inmates placed in community correctional centers. The bill would, until January 1, 2017, waive any process, regulation, or requirement that relates to entering into those agreements.

(6) Existing law allows any court or other agency or officer of this state having power to commit or transfer an inmate to any institution for confinement to commit or transfer that inmate to any institution outside this state if this state has entered into a contract or contracts for the confinement of inmates in that institution and the inmate, if he or she was sentenced under California law, has executed written consent to the transfer.

This bill would, until January 1, 2017, allow the secretary to transfer an inmate to a facility in another state without the consent of the inmate.

(7) Existing law establishes the Commission on Correctional Peace Officer Standards and Training (CPOST) within the Department of Corrections and Rehabilitation and requires the CPOST to develop, approve, and monitor standards for the selection and training of state correctional peace officers. Existing law allows for the use of training academies and centers, as specified.

This bill would, until January 1, 2017, allow the department to use a training academy established for the private California City Correctional Center.

(8) The bill would appropriate \$315,000,000 from the General Fund to the Department of Corrections and Rehabilitation for the purposes of this measure. The bill would require the Secretary of the Department of Corrections and Rehabilitation to report no later than ~~April 15~~ *April 1*, 2014, and again on ~~April 15~~ *April 1*, 2015, to the Director of Finance and specified legislative committees detailing the number of inmates housed in leased beds and in contracted beds both inside and outside of the state pursuant to this measure.

The bill would require the Administration to assess the state prison system, including capacity needs, prison population levels, recidivism rates, and factors effecting crime levels. The bill would require the Department of Finance to report to the Legislature regarding balanced solutions that are cost effective and protect public safety not later than January 10, 2015.

(9) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

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

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

1 SECTION 1. The additional prison capacity authorized by this  
2 bill is an immediate measure to avoid early release of inmates and  
3 allow the state to comply with the federal court order. The measure  
4 will also provide time to develop additional thoughtful, balanced,  
5 and effective long-term solutions with input from the state's local  
6 government and justice partners who are still adjusting to the recent  
7 criminal justice reforms of realignment. The long-term changes  
8 will build upon the transition of lower level offenders to local  
9 jurisdiction, the construction of new prison health care facilities,  
10 and improvements to existing health care facilities throughout the  
11 prison system. The administration shall begin immediately, in  
12 consultation with stakeholders, including appropriate legislative  
13 committees, to assess the state prison system, including capacity  
14 needs, prison population levels, recidivism rates, and factors  
15 affecting crime levels. Not later than January 10, 2015, the  
16 Department of Finance shall develop and report to the Legislature  
17 regarding balanced solutions that are cost effective and protect  
18 public safety.

1 SEC. 2. Section 15 of Chapter 42 of the Statutes of 2012 is  
2 amended to read:

3 Sec. 15. (a) The Department of Corrections and Rehabilitation  
4 shall remove all inmates from, cease operations of, and close the  
5 California Rehabilitation Center located in Norco, California, no  
6 later than either December 31, 2016, or six months after  
7 construction of the three Level II dorm facilities authorized in  
8 Section 14 of this act, whichever is earlier.

9 (b) This requirement is hereby suspended pending a review by  
10 the Department of Finance and the Department of Corrections and  
11 Rehabilitation that determines the facility can be closed. Closure  
12 of the facility shall not occur sooner than 30 days after notification  
13 in writing to the Chair of the Joint Legislative Budget Committee.

14 SEC. 3. Section 19050.2 of the Government Code is amended  
15 to read:

16 19050.2. (a) Subject to the approval of the board, the  
17 appointing authority may enter into arrangements with personnel  
18 agencies in other jurisdictions for the purpose of exchanging  
19 services and effecting transfers of employees.

20 (b) For purposes of this section, and all related rules, the  
21 California City Correctional Center in California City is an agency  
22 or jurisdiction for the duration of the two-year period described in  
23 Section 19050.8.

24 (c) This section shall remain in effect only until January 1, 2017,  
25 and as of that date is repealed, unless a later enacted statute, that  
26 is enacted before January 1, 2017, deletes or extends that date.

27 SEC. 4. Section 19050.2 is added to the Government Code, to  
28 read:

29 19050.2. (a) Subject to the approval of the board, the  
30 appointing authority may enter into arrangements with personnel  
31 agencies in other jurisdictions for the purpose of exchanging  
32 services and effecting transfers of employees.

33 (b) This section shall become operative on January 1, 2017.

34 SEC. 5. Section 19050.8 of the Government Code is amended  
35 to read:

36 19050.8. The board may prescribe rules governing the  
37 temporary assignment or loan of employees within an agency or  
38 between agencies for a period not to exceed two years or between  
39 jurisdictions for a period not to exceed four years for any of the  
40 following purposes:

- 1 (a) To provide training to employees.
- 2 (b) To enable an agency to obtain expertise needed to meet a
- 3 compelling program or management need.
- 4 (c) To facilitate the return of injured employees to work.

5 These temporary assignments or loans shall be deemed to be in  
6 accord with this part limiting employees to duties consistent with  
7 their class and may be used to meet minimum requirements for  
8 promotional as well as open examinations. An employee  
9 participating in that arrangement shall have the absolute right to  
10 return to his or her former position. Any temporary assignment or  
11 loan of an employee made for the purpose specified in subdivision  
12 (b) shall be made only with the voluntary consent of the employee.

13 In addition, out-of-class experience obtained in a manner not  
14 described in this section may be used to meet minimum  
15 requirements for promotional as well as open examinations, only  
16 if it was obtained by the employee in good faith and was properly  
17 verified under standards prescribed by board rule.

18 For purposes of this section, a temporary assignment or loan  
19 between educational agencies or jurisdictions shall be extended  
20 for up to two additional years upon a finding by the Superintendent  
21 of Public Instruction or the Chancellor of the California  
22 Community Colleges, and with the approval of the Executive  
23 Officer of the State Personnel Board, that the extension is necessary  
24 in order to substantially complete work on an educational  
25 improvement project. However, the temporary assignment of any  
26 local educator who is performing the duties of a nonrepresented  
27 classification while on loan to a state educational agency may be  
28 extended for as many successive two year intervals as necessary  
29 by the Superintendent of Public Instruction or the Chancellor of  
30 the California Community Colleges with the concurrence of the  
31 educational agency or jurisdiction. Public and private colleges and  
32 universities shall be considered educational agencies or  
33 jurisdictions within the meaning of this section.

34 A temporary assignment within an agency or between agencies  
35 may be extended by the board for up to two additional years in  
36 order for an employee to complete an apprenticeship program.

- 37 (d) For the duration of a temporary assignment or loan not to
- 38 exceed two years, for the purposes of this section and all related
- 39 rules, the California City Correctional Center in California City,
- 40 which provides services equivalent to the core governmental

1 function of incarcerating inmates, shall be considered an agency  
2 or jurisdiction.

3 (e) This section shall remain in effect only until January 1, 2017,  
4 and as of that date is repealed, unless a later enacted statute, that  
5 is enacted before January 1, 2017, deletes or extends that date.

6 SEC. 6. Section 19050.8 is added to the Government Code, to  
7 read:

8 19050.8. The board may prescribe rules governing the  
9 temporary assignment or loan of employees within an agency or  
10 between agencies for a period not to exceed two years or between  
11 jurisdictions for a period not to exceed four years for any of the  
12 following purposes:

13 (a) To provide training to employees.

14 (b) To enable an agency to obtain expertise needed to meet a  
15 compelling program or management need.

16 (c) To facilitate the return of injured employees to work.

17 These temporary assignments or loans shall be deemed to be in  
18 accord with this part limiting employees to duties consistent with  
19 their class and may be used to meet minimum requirements for  
20 promotional as well as open examinations. An employee  
21 participating in that arrangement shall have the absolute right to  
22 return to his or her former position. Any temporary assignment or  
23 loan of an employee made for the purpose specified in subdivision  
24 (b) shall be made only with the voluntary consent of the employee.

25 In addition, out-of-class experience obtained in a manner not  
26 described in this section may be used to meet minimum  
27 requirements for promotional as well as open examinations, only  
28 if it was obtained by the employee in good faith and was properly  
29 verified under standards prescribed by board rule.

30 For purposes of this section, a temporary assignment or loan  
31 between educational agencies or jurisdictions shall be extended  
32 for up to two additional years upon a finding by the Superintendent  
33 of Public Instruction or the Chancellor of the California  
34 Community Colleges, and with the approval of the Executive  
35 Officer of the State Personnel Board, that the extension is necessary  
36 in order to substantially complete work on an educational  
37 improvement project. However, the temporary assignment of any  
38 local educator who is performing the duties of a nonrepresented  
39 classification while on loan to a state educational agency may be  
40 extended for as many successive two year intervals as necessary

1 by the Superintendent of Public Instruction or the Chancellor of  
2 the California Community Colleges with the concurrence of the  
3 educational agency or jurisdiction. Public and private colleges and  
4 universities shall be considered educational agencies or  
5 jurisdictions within the meaning of this section.

6 A temporary assignment within an agency or between agencies  
7 may be extended by the board for up to two additional years in  
8 order for an employee to complete an apprenticeship program.

9 (d) This section shall become operative on January 1, 2017.

10 SEC. 7. Section 2910 of the Penal Code is amended to read:

11 2910. (a) The Secretary of the Department of Corrections and  
12 Rehabilitation may enter into an agreement with a city, county, or  
13 city and county to permit transfer of prisoners in the custody of  
14 the secretary to a jail or other adult correctional facility of the city,  
15 county, or city and county, if the sheriff or corresponding official  
16 having jurisdiction over the facility has consented thereto. The  
17 agreement shall provide for contributions to the city, county, or  
18 city and county toward payment of costs incurred with reference  
19 to such transferred prisoners.

20 (b) For purposes of this section, a transfer of prisoners under  
21 subdivision (a) may include inmates who have been sentenced to  
22 the department but remain housed in a county jail. These prisoners  
23 shall be under the sole legal custody and jurisdiction of the sheriff  
24 or corresponding official having jurisdiction over the facility and  
25 shall not be under the legal custody or jurisdiction of the  
26 Department of Corrections and Rehabilitation.

27 (c) Notwithstanding any other law, for purposes of entering into  
28 agreements under subdivision (a), any process, regulation,  
29 requirement, including any state governmental reviews or  
30 approvals, or third-party approval that is required under, or  
31 implemented pursuant to, any statute that relates to entering into  
32 those agreements is hereby waived.

33 (d) When an agreement entered into pursuant to subdivision (a)  
34 or (c) is in effect with respect to a particular local facility, the  
35 secretary may transfer prisoners whose terms of imprisonment  
36 have been fixed and parole violators to the facility.

37 (e) Prisoners so transferred to a local facility may, with notice  
38 to the secretary, participate in programs of the facility, including,  
39 but not limited to, work furlough rehabilitation programs.

1 (f) The secretary, to the extent possible, shall select city, county,  
2 or city and county facilities in areas where medical, food, and other  
3 support services are available from nearby existing prison facilities.

4 (g) The secretary, with the approval of the Department of  
5 General Services, may enter into an agreement to lease state  
6 property for a period not in excess of 20 years to be used as the  
7 site for a facility operated by a city, county, or city and county  
8 authorized by this section.

9 (h) This section shall remain in effect only until January 1, 2017,  
10 and as of that date is repealed, unless a later enacted statute, that  
11 is enacted before January 1, 2017, deletes or extends that date.

12 SEC. 8. Section 2910 is added to the Penal Code, to read:

13 2910. (a) The Secretary of the Department of Corrections and  
14 Rehabilitation may enter into an agreement with a city, county, or  
15 city and county to permit transfer of prisoners in the custody of  
16 the secretary to a jail or other adult correctional facility of the city,  
17 county, or city and county, if the sheriff or corresponding official  
18 having jurisdiction over the facility has consented thereto. The  
19 agreement shall provide for contributions to the city, county, or  
20 city and county toward payment of costs incurred with reference  
21 to such transferred prisoners.

22 (b) When an agreement entered into pursuant to subdivision (a)  
23 is in effect with respect to a particular local facility, the secretary  
24 may transfer prisoners whose terms of imprisonment have been  
25 fixed and parole violators to the facility.

26 (c) Prisoners so transferred to a local facility may, with approval  
27 of the secretary, participate in programs of the facility, including,  
28 but not limited to, work furlough rehabilitation programs.

29 (d) Prisoners transferred to such facilities are subject to the rules  
30 and regulations of the facility in which they are confined, but  
31 remain under the legal custody of the Department of Corrections  
32 and Rehabilitation and shall be subject at any time, pursuant to the  
33 rules and regulations of the secretary, to be detained in the county  
34 jail upon the exercise of a state parole or correctional officer's  
35 peace officer powers, as specified in Section 830.5, with the  
36 consent of the sheriff or corresponding official having jurisdiction  
37 over the facility.

38 (e) The secretary, to the extent possible, shall select city, county,  
39 or city and county facilities in areas where medical, food, and other  
40 support services are available from nearby existing prison facilities.

1 (f) The secretary, with the approval of the Department of  
2 General Services, may enter into an agreement to lease state  
3 property for a period not in excess of 20 years to be used as the  
4 site for a facility operated by a city, county, or city and county  
5 authorized by this section.

6 (g) An agreement shall not be entered into under this section  
7 unless the cost per inmate in the facility is no greater than the  
8 average costs of keeping an inmate in a comparable facility of the  
9 department, as determined by the secretary.

10 (h) This section shall become operative on January 1, 2017.

11 SEC. 9. Section 2915 is added to the Penal Code, to read:

12 2915. (a) The Secretary of the Department of Corrections and  
13 Rehabilitation may enter into one or more agreements to obtain  
14 secure housing capacity within the state. These agreements may  
15 be entered into with private entities and may be in the form of a  
16 lease or an operating agreement. The secretary may procure and  
17 enter these agreements on terms and conditions he or she deems  
18 necessary and appropriate. Notwithstanding any other law, any  
19 process, regulation, requirement, including any state governmental  
20 reviews or approvals, or third-party approval that is required under  
21 statutes that relate to the procurement and implementation of those  
22 agreements is hereby waived, however, no agreement shall contain  
23 terms, either directly or indirectly, that involve the repayment of  
24 any debt issuance or other financing and, consistent with state law,  
25 shall provide that payment of that agreement is subject to  
26 appropriation.

27 (b) The Secretary of the Department of Corrections and  
28 Rehabilitation may enter into one or more agreements to obtain  
29 secure housing capacity in another state. These agreements may  
30 be entered into with private entities and may be in the form of an  
31 operating agreement or other contract. The secretary may procure  
32 and enter these agreements on terms and conditions he or she  
33 deems necessary and appropriate. Notwithstanding any other law,  
34 any process, regulation, requirement, including any state  
35 governmental reviews or approvals, or third-party approval that  
36 is required under statutes that relate to the procurement and  
37 implementation of those agreements is hereby waived, however,  
38 no agreement shall contain terms, either directly or indirectly, that  
39 involve the repayment of any debt issuance or other financing and,  
40 consistent with state law, shall provide that payment of that

1 agreement is subject to appropriation. This subdivision does not  
2 authorize the department to operate a facility out of state.

3 (c) The provisions of Division 13 (commencing with Section  
4 21000) of the Public Resources Code do not apply to this section.

5 (d) This section shall remain in effect only until January 1, 2017,  
6 and as of that date is repealed, unless a later enacted statute, that  
7 is enacted before January 1, 2017, deletes or extends that date.

8 SEC. 10. Section 6250.2 is added to the Penal Code, to read:

9 6250.2. (a) The Secretary of the Department of Corrections  
10 and Rehabilitation may enter into agreements for the transfer of  
11 prisoners to, or placement of prisoners in, community correctional  
12 centers. The secretary may enter into contracts to provide housing,  
13 sustenance, and supervision for inmates placed in community  
14 correctional centers.

15 (b) Notwithstanding any other law, for the purposes of entering  
16 into agreements under subdivision (a), any process, regulation,  
17 requirement, including any state government reviews or approvals,  
18 or third-party approval that is required under, or implemented  
19 pursuant to, any statute that relates to entering into those  
20 agreements is hereby waived.

21 (c) This section shall remain in effect only until January 1, 2017,  
22 and as of that date is repealed, unless a later enacted statute, that  
23 is enacted before January 1, 2017, deletes or extends that date.

24 SEC. 11. Section 11191 of the Penal Code is amended to read:

25 11191. (a) Any court or other agency or officer of this state  
26 having power to commit or transfer an inmate, as defined in Article  
27 II(d) of the Interstate Corrections Compact or of the Western  
28 Interstate Corrections Compact, to any institution for confinement  
29 may commit or transfer that inmate to any institution within or  
30 without this state if this state has entered into a contract or contracts  
31 for the confinement of inmates in that institution pursuant to Article  
32 III of the Interstate Corrections Compact or of the Western  
33 Interstate Corrections Compact.

34 (b) An inmate sentenced under California law shall not be  
35 committed or transferred to an institution outside of this state,  
36 unless he or she has executed a written consent to the transfer. The  
37 inmate shall have the right to a private consultation with an attorney  
38 of his choice, or with a public defender if the inmate cannot afford  
39 counsel, concerning his rights and obligations under this section,  
40 and shall be informed of those rights prior to executing the written

1 consent. At any time more than five years after the transfer, the  
2 inmate shall be entitled to revoke his consent and to transfer to an  
3 institution in this state. In such cases, the transfer shall occur within  
4 the next 30 days.

5 (c) Notwithstanding the requirements in this section or Section  
6 11194, the secretary may transfer an inmate to a facility in another  
7 state without the consent of the inmate.

8 (d) Inmates who volunteer by submitting a request to transfer  
9 and are otherwise eligible shall receive first priority under this  
10 section.

11 (e) This section shall remain in effect only until January 1, 2017,  
12 and as of that date is repealed, unless a later enacted statute, that  
13 is enacted before January 1, 2017, deletes or extends that date.

14 SEC. 12. Section 11191 is added to the Penal Code, to read:

15 11191. (a) Any court or other agency or officer of this state  
16 having power to commit or transfer an inmate, as defined in Article  
17 II(d) of the Interstate Corrections Compact or of the Western  
18 Interstate Corrections Compact, to any institution for confinement  
19 may commit or transfer that inmate to any institution within or  
20 outside of this state if this state has entered into a contract or  
21 contracts for the confinement of inmates in that institution pursuant  
22 to Article III of the Interstate Corrections Compact or of the  
23 Western Interstate Corrections Compact.

24 (b) No inmate sentenced under California law may be committed  
25 or transferred to an institution outside of this state, unless he or  
26 she has executed a written consent to the transfer. The inmate shall  
27 have the right to a private consultation with an attorney of his  
28 choice, or with a public defender if the inmate cannot afford  
29 counsel, concerning his rights and obligations under this section,  
30 and shall be informed of those rights prior to executing the written  
31 consent. At any time more than five years after the transfer, the  
32 inmate shall be entitled to revoke his consent and to transfer to an  
33 institution in this state. In such cases, the transfer shall occur within  
34 the next 30 days.

35 (c) This section shall become operative on January 1, 2017.

36 SEC. 13. Section 13602 of the Penal Code is amended to read:

37 13602. (a) The Department of Corrections and Rehabilitation  
38 may use the training academy at Galt or the training center in  
39 Stockton. The academy at Galt shall be known as the Richard A.  
40 McGee Academy. The training divisions, in using the funds, shall

1 endeavor to minimize costs of administration so that a maximum  
2 amount of the funds will be used for providing training and support  
3 to correctional peace officers while being trained by the  
4 department.

5 (b) Notwithstanding subdivision (a), and pursuant to Section  
6 13602.1, the Department of Corrections and Rehabilitation may  
7 use a training academy established for the California City  
8 Correctional Center. This academy, in using the funds, shall  
9 endeavor to minimize costs of administration so that a maximum  
10 amount of the funds will be used for providing training and support  
11 to correctional employees who are being trained by the department.

12 (c) Each new cadet who attends an academy shall complete the  
13 course of training, pursuant to standards approved by the CPOST  
14 before he or she may be assigned to a post or job as a peace officer.  
15 Every newly appointed first-line or second-line supervisor in the  
16 Department of Corrections and Rehabilitation shall complete the  
17 course of training, pursuant to standards approved by the CPOST  
18 for that position.

19 (d) The Department of Corrections and Rehabilitation shall  
20 make every effort to provide training prior to commencement of  
21 supervisory duties. If this training is not completed within six  
22 months of appointment to that position, any first-line or second-line  
23 supervisor shall not perform supervisory duties until the training  
24 is completed.

25 (e) This section shall remain in effect only until January 1, 2017,  
26 and as of that date is repealed, unless a later enacted statute, that  
27 is enacted before January 1, 2017, deletes or extends that date.

28 SEC. 14. Section 13602 is added to the Penal Code, to read:

29 13602. (a) The Department of Corrections and Rehabilitation  
30 may use the training academy at Galt or the training center in  
31 Stockton. The academy at Galt shall be known as the Richard A.  
32 McGee Academy. The training divisions, in using the funds, shall  
33 endeavor to minimize costs of administration so that a maximum  
34 amount of the funds will be used for providing training and support  
35 to correctional peace officers while being trained by the  
36 department.

37 (b) Each new cadet who attends an academy shall complete the  
38 course of training, pursuant to standards approved by the CPOST,  
39 before he or she may be assigned to a post or job as a peace officer.  
40 Every newly appointed first-line or second-line supervisor in the

1 Department of Corrections and Rehabilitation shall complete the  
2 course of training, pursuant to standards approved by the CPOST  
3 for that position.

4 (c) The Department of Corrections and Rehabilitation shall  
5 make every effort to provide training prior to commencement of  
6 supervisory duties. If this training is not completed within six  
7 months of appointment to that position, any first-line or second-line  
8 supervisor shall not perform supervisory duties until the training  
9 is completed.

10 (d) This section shall become operative January 1, 2017.

11 SEC. 15. (a) There is hereby appropriated from the General  
12 Fund the amount of three hundred fifteen million dollars  
13 (\$315,000,000) to the Department of Corrections and Rehabilitation  
14 for purposes of implementing this act.

15 (b) (1) ~~Not later than April 15 April 1, 2014, and again not later~~  
16 ~~than April 15 April 1, 2015,~~ the Secretary of the Department of  
17 Corrections and Rehabilitation shall submit a report to the Director  
18 of Finance and the chairpersons and vice chairpersons of the  
19 committees in both houses of the Legislature that consider the state  
20 budget, and to the Assembly Committee on Public Safety and the  
21 Senate Committee on Public Safety, detailing the number of  
22 inmates housed in leased beds and in contracted beds both within  
23 and outside of the state pursuant to the provisions of this act. The  
24 report shall provide the specific number of inmates moved to each  
25 facility and shall identify all costs associated with housing these  
26 inmates.

27 (2) The requirement for submitting a report imposed under this  
28 subdivision is inoperative on January 1, 2017, pursuant to Section  
29 10231.5 of the Government Code.

30 (3) A report to be submitted pursuant to this subdivision shall  
31 be submitted in compliance with Section 9795 of the Government  
32 Code.

33 SEC. 16. This act is a bill providing for appropriations related  
34 to the Budget Bill within the meaning of subdivision (e) of Section  
35 12 of Article IV of the California Constitution, has been identified  
36 as related to the budget in the Budget Bill, and shall take effect  
37 immediately.

O