

AMENDED IN ASSEMBLY MARCH 14, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2012

**Introduced by Assembly Members Bigelow, Wilk, Cooper, and
Jones-Sawyer
(Principal coauthor: Assembly Member Hadley)
(Coauthor: Assembly Member Santiago)**

February 16, 2016

An act to amend Section 4327 of, to amend the heading of Chapter 2.5 (commencing with Section 4325) of Title 4 of Part 3 of, to repeal Sections 4326 and 4329 of, and to repeal and add Section 4325 of, the Penal Code, relating to jails.

LEGISLATIVE COUNSEL'S DIGEST

AB 2012, as amended, Bigelow. Jail Industry Program.

Existing law authorizes the board of supervisors in specified counties, as part of a pilot jail industry program not to exceed 4 years, to establish, with the concurrence of the county sheriff, a Jail Industry Commission for that county. Existing law also requires the county board of supervisors, upon the establishment of a commission, to create a Jail Industries Fund, as specified, which may be used to fund specified purposes. Existing law specifies the composition of these commissions.

This bill would repeal the authorization to create a Jail Industry Commission as a pilot program, and would instead authorize the board of supervisors of the Counties of Los Angeles, *Sacramento*, *San Diego*, San Joaquin, Sonoma, *Tulare*, Tuolumne, and Ventura to authorize the county sheriff or county director of corrections to create a Jail Industry Program, as specified. The bill would also make conforming changes.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Counties of Los Angeles, Sacramento, San Diego, San Joaquin, Sonoma, Tulare, Tuolumne, and Ventura.

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

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

1 SECTION 1. The heading of Chapter 2.5 (commencing with
2 Section 4325) of Title 4 of Part 3 of the Penal Code is amended
3 to read:

4
5 CHAPTER 2.5. JAIL INDUSTRY PROGRAMS
6

7 SEC. 2. Section 4325 of the Penal Code is repealed.

8 SEC. 3. Section 4325 is added to the Penal Code, to read:

9 4325. (a) The board of supervisors of the Counties of Los
10 Angeles, *Sacramento, San Diego, San Joaquin, Sonoma, Tulare,*
11 *Tuolumne, and Ventura* may authorize, by ordinance or resolution,
12 the sheriff or county director of corrections to create a Jail Industry
13 Program within the county jail system.

14 (b) The purpose of the Jail Industry Program includes all of the
15 following:

16 (1) To develop and operate industrial, agricultural, or service
17 enterprises or programs employing prisoners in county correctional
18 facilities under the jurisdiction of the sheriff or county director of
19 corrections.

20 (2) To create and maintain working conditions within the
21 enterprises or programs as similar as possible to those that prevail
22 in private industry.

23 (3) To ensure prisoners have the opportunity to work
24 productively and earn funds, if approved by the board of
25 supervisors pursuant to Section 4019.3, and to acquire or improve
26 effective work habits and occupational skills.

27 (4) To allow inmates who participate in the enterprise or
28 program the opportunity to earn additional time credits allowed
29 under Section 4019.1 or 4019.4, if authorized by the sheriff or
30 county director of corrections.

31 SEC. 4. Section 4326 of the Penal Code is repealed.

1 SEC. 5. Section 4327 of the Penal Code is amended to read:
2 4327. Upon the establishment of the Jail Industry Program, the
3 board of supervisors shall establish a Jail Industries Fund, which
4 may be a revolving fund, for funding the operations of the program.
5 All jail industry income shall be deposited in, and any prisoner
6 compensation shall be paid to the account of the prisoner from,
7 the Jail Industries Fund.
8 SEC. 6. Section 4329 of the Penal Code is repealed.
9 *SEC. 7. The Legislature finds and declares that a special law*
10 *is necessary and that a general law cannot be made applicable*
11 *within the meaning of Section 16 of Article IV of the California*
12 *Constitution because of the unique needs of the Counties of Los*
13 *Angeles, Sacramento, San Diego, San Joaquin, Sonoma, Tulare,*
14 *Tuolumne, and Ventura.*