

**Senate Bill No. 1989**

**CHAPTER 645**

An act to add Section 2079.10a to the Civil Code, relating to real property disclosure.

[Approved by Governor September 20, 1998. Filed with Secretary of State September 21, 1998.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1989, Polanco. Real property disclosure: registered sex offenders.

Existing law requires the seller or lessor of residential real property, or the agents thereof, to make certain disclosures about the property.

This bill would require written leases and rental agreements for residential real property and contracts for sale of residential real property entered into on or after July 1, 1999, to contain a specified notice regarding the data base maintained by law enforcement authorities, as specified, with the locations of registered sex offenders. This bill would provide that, upon delivery of the notice, the lessor, seller, or broker is not required to provide additional information regarding the proximity of registered sex offenders, and that a registered sex offender may not bring any cause of action against the disclosing party.

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

SECTION 1. Section 2079.10a is added to the Civil Code, to read:

2079.10a. (a) Every lease or rental agreement for residential real property and every contract for sale of real property, including a real property sales contract as defined in Section 2985, for residential real property comprising one to four dwelling units, shall contain, in not less than eight-point type, the following notice:

Notice: The California Department of Justice, sheriff's departments, police departments serving jurisdictions of 200,000 or more and many other local law enforcement authorities maintain for public access a data base of the locations of persons required to register pursuant to paragraph (1) of subdivision (a) of Section 290.4 of the Penal Code. The data base is updated on a quarterly basis and a source of information about the presence of these individuals in any neighborhood. The Department of Justice also maintains a Sex Offender Identification Line through which inquiries about individuals may be made. This is a "900" telephone service. Callers



must have specific information about individuals they are checking. Information regarding neighborhoods is not available through the “900” telephone service.

(b) Subject to subdivision (c), upon delivery of the notice to the lessee or transferee of the real property, the lessor, seller, or broker is not required to provide information in addition to that contained in the notice regarding the proximity of registered sex offenders. The information in the notice shall be deemed to be adequate to inform the lessee or transferee about the existence of a statewide data base of the locations of registered sex offenders and information from the data base regarding those locations. The information in the notice shall not give rise to any cause of action against the disclosing party by a registered sex offender.

(c) Notwithstanding subdivisions (a) and (b), nothing in this section shall alter any existing duty of the lessor, seller, or broker under any other statute or decisional law including, but not limited to, the duties of a lessor, seller, or broker under this article, or the duties a seller or broker under Article 1.5 (commencing with Section 1102) or Chapter 2 of Title 4 of Part 4 of Division 2.

(d) Subdivision (a) of this section shall apply only to written agreements and contracts that are entered into by the parties on or after July 1, 1999.

