

ASSEMBLY BILL

No. 1176

Introduced by Assembly Member Spitzer

February 23, 2007

An act relating to sexually violent predators.

LEGISLATIVE COUNSEL'S DIGEST

AB 1176, as introduced, Spitzer. 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.

Existing law, as an initiative measure, may not be amended by the Legislature, except by a $\frac{2}{3}$ vote bill, or by a majority vote bill to expand the scope of application of its provision or to increase the punishment or penalties.

This bill would declare the intent of the Legislature to subsequently amend this bill to include provisions that would enact the recommendations of the Governor's High Risk Sex Offender Task Force relating to jurisdiction over conditional release petitions in cases where

the county of commitment and the county of domicile of a sexually violent predator are different.

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. It is the intent of the Legislature to subsequently
- 2 amend this measure to include provisions that would enact the
- 3 recommendations of the Governor’s High Risk Sex Offender Task
- 4 Force relating to jurisdiction over conditional release petitions in
- 5 cases where the county of commitment and the county of domicile
- 6 of a sexually violent predator are different.