

Introduced by Senator ArchuletaFebruary 20, 2025

An act to amend Section 3000.01 of the Penal Code, relating to parole.

LEGISLATIVE COUNSEL'S DIGEST

SB 537, as introduced, Archuleta. Parole.

Existing law requires a sentence resulting in imprisonment in the state prison to include a period of parole supervision or postrelease community supervision, as specified. Existing law generally specifies the length and review process for parole depending on the violation for which the person has been sentenced and whether the person has violated the terms of their parole.

This bill would specifically exclude an inmate sentenced for an offense of first or 2nd degree murder with a maximum term of life imprisonment, as specified, from the requirement for a 3-year probation period applicable to an inmate released from state prison on or after July 1, 2020.

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

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

- 1 SECTION 1. The Legislature finds and declares this act ensures
- 2 all of the following:
- 3 (a) A person, who was sentenced under Section 1168 of the
- 4 Penal Code for any offense of first or second degree murder with
- 5 a maximum term of life imprisonment, is eligible for parole
- 6 pursuant to Section 3000.1 of the Penal Code.

(b) If a person described in subdivision (a) violates the law or conditions of their parole, that person will be remanded to the custody of the Department of Corrections and Rehabilitation, pursuant to subdivision (h) of Section 3000.08 of the Penal Code, and would be eligible for any future parole, as provided under applicable law.

SEC. 2. Section 3000.01 of the Penal Code is amended to read:

3000.01. (a) This section applies to persons released from state prison on or after July 1, 2020, and who are subject to the jurisdiction of, and parole supervision by, the Department of Corrections and Rehabilitation pursuant to Section 3000.08 of the Penal Code.

(b) Except as provided in subdivision (d) and notwithstanding any other law, persons described in subdivision (a) shall serve a parole term as follows:

(1) Any inmate sentenced to a determinate term shall be released on parole for a period of two years. The inmate will be reviewed by the Division of Adult Parole Operations for possible discharge from parole no later than 12 months after release from confinement. If at the time of the review the inmate has been on parole continuously for 12 months since release from confinement without a violation and the inmate is not a person required to be treated as described in Section 2962, the inmate shall be discharged from parole.

(2) Any inmate sentenced to a life term shall be released on parole for a period of three years. The inmate ~~will~~ *shall* be reviewed by the Division of Adult Parole Operations and referred to the Board of Parole Hearings for possible discharge from parole no later than 12 months after release from confinement. If the Board of Parole Hearings determines the inmate should be retained on parole, the inmate will be reviewed again and referred to the Board of Parole Hearings for possible discharge from parole no later than 24 months after release from confinement.

(c) Upon successful completion of parole, or at the end of the maximum statutory period of parole specified in this section, whichever is earlier, the inmate shall be discharged from parole. The date of the maximum statutory period of parole under this section shall be computed from the date of initial parole and shall be a period chronologically determined. Time during which parole is suspended because the inmate has been returned to custody as

1 a parole violator shall not be credited toward any period of parole
2 unless the inmate is found not guilty of the parole violation.

3 (1) Except as provided in paragraph (4) of subdivision (a) of
4 Section 3000 and Section 3064, in no case may an inmate who is
5 released on parole for a period of two years be retained under
6 parole supervision or in custody for a period longer than three
7 years from the date of their initial parole.

8 (2) Except as provided in paragraph (4) of subdivision (a) of
9 Section 3000 and Section 3064, in no case may an inmate who is
10 released on parole for a period of three years be retained under
11 parole supervision or in custody for a period longer than four years
12 from the date of their initial parole.

13 (d) This section shall not apply to any of the following inmates:

14 (1) An inmate currently incarcerated for an offense that will
15 require the person to register as a sex offender pursuant to Chapter
16 5.5 (commencing with Section 290) of Title 9 of Part 1.

17 ~~(2) Inmates whose~~

18 (2) *An inmate sentenced under Section 1168 for an offense of*
19 *first or second degree murder with a maximum term of life*
20 *imprisonment, as subject to Section 3000.1.*

21 (3) *An inmate whose* parole term at the time of the commission
22 of the offense was less than the parole term prescribed in
23 subdivision (b).

24 (e) The parole review periods specified in subdivision (b) shall
25 not apply to inmates whose review period at the time of the
26 commission of the offense provides for an earlier review period.