

Introduced by Senator McGuire

February 21, 2025

An act to amend Section 6046.3 of the Penal Code, relating to recidivism.

LEGISLATIVE COUNSEL'S DIGEST

SB 850, as introduced, McGuire. The Second Chance Program.

Existing law requires the Board of State and Community Corrections to administer a competitive grant program that focuses on community-based solutions for reducing recidivism. Existing law requires the board to form an executive steering committee to make recommendations regarding the design, efficacy, and viability of proposals, including threshold and scoring criteria, that, among other things, prioritizes proposals that leverage other federal, state, and local funds or other social investments. Existing law provides examples of possible funding sources, which include, among other sources, the Drug Medi-Cal Treatment Program and the Mental Health Services Act.

This bill would add the Drug Medi-Cal organized delivery system and the Behavioral Health Services Act to that list.

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. Section 6046.3 of the Penal Code is amended to
- 2 read:
- 3 6046.3. (a) The board shall administer a competitive grant
- 4 program to carry out the purposes of this article that focuses on

1 community-based solutions for reducing recidivism. The grant
2 program shall, at minimum, do all of the following:

3 (1) Restrict eligibility to proposals designed to serve people
4 who have been arrested, charged with, or convicted of a criminal
5 offense and have a history of mental health or substance use
6 disorders.

7 (2) Restrict eligibility to proposals that offer mental health
8 services, substance use disorder treatment services, misdemeanor
9 diversion programs, or some combination thereof.

10 (3) Restrict eligibility to proposals that have a public agency as
11 the lead applicant.

12 (b) The board shall form an executive steering committee that
13 includes, but is not limited to, a balanced and diverse membership
14 from relevant state and local government entities, community-based
15 treatment and service providers, and the formerly incarcerated
16 community. The committee shall have expertise in homelessness
17 and housing, behavioral health and substance abuse treatment, and
18 effective rehabilitative treatment for adults and juveniles. The
19 committee shall make recommendations regarding the design,
20 efficacy, and viability of proposals, and make recommendations
21 on guidelines for the submission of proposals, including threshold
22 or scoring criteria, or both, that do all of the following:

23 (1) Prioritize proposals that advance principles of restorative
24 justice while demonstrating a capacity to reduce recidivism.

25 (2) Prioritize proposals that leverage other federal, state, and
26 local funds or other social investments, such as the following
27 sources of funding:

28 (A) (i) ~~The Drug Medi-Cal Treatment Program (22 Cal. Code~~
29 ~~Regs. (Sections 51341.1, 51490.1, and 51516.1); 51516.1 of Title~~
30 ~~22 of the California Code of Regulations).~~

31 (ii) *The Drug Medi-Cal organized delivery system (DMC-ODS)*
32 *program (Section 14184.401 of the Welfare and Institutions Code).*

33 (B) (i) The Mental Health Services Act, enacted by Proposition
34 63 at the November 2, 2004, general election, as amended.

35 (ii) *The Behavioral Health Services Act, enacted by Proposition*
36 *1 at the March 5, 2024, statewide primary election, as amended.*

37 (C) Funds provided for in connection with the implementation
38 of Chapter 15 of the Statutes of 2011.

1 (D) The *California* Community Corrections Performance
2 Incentives Act of 2009 (Stats. 2009, Ch. 608; Chapter 3
3 (commencing with Section 1228) of Title 8 of Part 2).

4 (E) The tax credits established pursuant to ~~Sections 12209,~~
5 ~~17053.57, and 23657~~ Section 12209 of the Revenue and Taxation
6 Code.

7 (F) The federal Department of Housing and Urban Development
8 funds, such as the Emergency Solutions Grant program (42 U.S.C.
9 Sec. 11371 et seq.).

10 (G) The federal Department of Veterans Affairs Supportive
11 Services for Veteran Families program (38 U.S.C. Sec. 2044).

12 (H) Social Innovation Funds established by the Corporation for
13 National and Community Service pursuant to Section 12653k of
14 Title 42 of the United States Code.

15 (I) The Edward Byrne Memorial Justice Assistance Grant
16 Program (42 U.S.C. Sec. 3750 et seq.).

17 (3) Prioritize proposals that provide for all of the following:

18 (A) Mental health services, substance use disorder treatment
19 services, misdemeanor diversion programs, or some combination
20 thereof.

21 (B) Housing-related assistance that utilizes evidence-based
22 models, including, but not limited to, those recommended by the
23 federal Department of Housing and Urban Development.
24 Housing-related assistance may include, but is not limited to, the
25 following:

26 (i) Financial assistance, including security deposits, utility
27 payments, moving-cost assistance, and up to 24 months of rental
28 assistance.

29 (ii) Housing stabilization assistance, including case management,
30 relocation assistance, outreach and engagement, landlord
31 recruitment, housing navigation and placement, and credit repair.

32 (C) Other community-based supportive services, such as job
33 skills training, case management, and civil legal services.

34 (4) Prioritize proposals that leverage existing contracts,
35 partnerships, memoranda of understanding, or other formal
36 relationships to provide one or more of the services prioritized in
37 paragraph (3).

38 (5) Prioritize proposals put forth by a public agency in
39 partnership with a philanthropic or nonprofit organization.

- 1 (6) Prioritize proposals that promote interagency and regional
- 2 collaborations.
- 3 (7) Consider ways to promote services for people with offenses
- 4 identical or similar to those addressed by the Safe Neighborhoods
- 5 and Schools Act of 2014, without precluding assistance to a person
- 6 with other offenses in ~~his or her~~ *their* criminal history.
- 7 (8) Consider geographic diversity.
- 8 (9) Consider appropriate limits for administrative costs and
- 9 overhead.
- 10 (10) Consider proposals that provide services to juveniles.
- 11 (11) Permit proposals to expand the capacity of an existing
- 12 program and prohibit proposals from using the fund to supplant
- 13 funding for an existing program.