

AMENDED IN SENATE APRIL 28, 2025

AMENDED IN SENATE APRIL 10, 2025

**SENATE BILL**

**No. 537**

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**Introduced by Senator Archuleta**

February 20, 2025

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

LEGISLATIVE COUNSEL'S DIGEST

SB 537, as amended, Archuleta. Parole: revocation.

Existing law sets the period of parole for a person sentenced to prison for first- or 2nd-degree murder pursuant to specified provisions to be the remainder of the person's life. Existing law requires a person subject to those provisions who is on parole and who violates the law or the conditions of their parole to be remanded to the custody of the Department of Corrections and Rehabilitation and the jurisdiction of the Board of Parole Hearings for the purpose of future parole consideration. Existing law also sets the parole period for a person released on parole from state prison on or after July 1, 2020, and who was sentenced to life, to no more than 3 years.

This bill would ~~require~~ *authorize the court to remand* a person sentenced to prison for first- or 2nd-degree murder pursuant to specified provisions ~~who, while on parole, violates the and released on parole on or after July 1, 2020, and who the court determines has committed a violation of law or the conditions of their parole to be remanded parole,~~ to the custody of the Department of Corrections and Rehabilitation and the jurisdiction of the Board of Parole Hearings for the purpose of future parole consideration. ~~The bill would state that these changes are declarative of, and clarifying, existing law. consideration, if the court finds that this is in the furtherance of justice.~~

*The bill would, if the court does not remand the person to the custody of the Department of Corrections and Rehabilitation, instead subject the person to a period of confinement in the county jail, as specified.*

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

3 3000.01. (a) (1) This section applies to persons released from  
4 state prison on or after July 1, 2020, and who are subject to the  
5 jurisdiction of, and parole supervision by, the Department of  
6 Corrections and Rehabilitation pursuant to Section 3000.08 of the  
7 Penal Code.

8 ~~(2) Subdivision (h) of Section 3000.08 applies to any A court~~  
9 ~~may remand a person sentenced under Section 1168 for any offense~~  
10 ~~of first- or second-degree murder with a maximum term of life~~  
11 ~~imprisonment and released on parole on or after July 1, 2020. The~~  
12 ~~Legislature finds and declares that this paragraph is declarative~~  
13 ~~of, and clarifies, existing law. 2020, and who the court has~~  
14 ~~determined has committed a violation of law or a violation of the~~  
15 ~~conditions of their parole, to the custody of the Department of~~  
16 ~~Corrections and Rehabilitation and the jurisdiction of the Board~~  
17 ~~of Parole Hearings for the purpose of future parole consideration,~~  
18 ~~if the court finds that this is in the furtherance of justice. If the~~  
19 ~~court does not remand the person to the custody of the Department~~  
20 ~~of Corrections and Rehabilitation, the person is subject to~~  
21 ~~confinement in a county jail pursuant to subdivisions (f) and (g)~~  
22 ~~of Section 3000.08.~~

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

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

1 described in Section 2962, the inmate shall be discharged from  
2 parole.

3 (2) Any inmate sentenced to a life term shall be released on  
4 parole for a period of three years. The inmate shall be reviewed  
5 by the Division of Adult Parole Operations and referred to the  
6 Board of Parole Hearings for possible discharge from parole no  
7 later than 12 months after release from confinement. If the Board  
8 of Parole Hearings determines the inmate should be retained on  
9 parole, the inmate will be reviewed again and referred to the Board  
10 of Parole Hearings for possible discharge from parole no later than  
11 24 months after release from confinement.

12 (c) Upon successful completion of parole, or at the end of the  
13 maximum statutory period of parole specified in this section,  
14 whichever is earlier, the inmate shall be discharged from parole.  
15 The date of the maximum statutory period of parole under this  
16 section shall be computed from the date of initial parole and shall  
17 be a period chronologically determined. Time during which parole  
18 is suspended because the inmate has been returned to custody as  
19 a parole violator shall not be credited toward any period of parole  
20 unless the inmate is found not guilty of the parole violation.

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

26 (2) Except as provided in paragraph (4) of subdivision (a) of  
27 Section 3000, paragraph (2) of subdivision (a) of this section, and  
28 Section 3064, in no case may an inmate who is released on parole  
29 for a period of three years be retained under parole supervision or  
30 in custody for a period longer than four years from the date of their  
31 initial parole.

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

33 (1) An inmate currently incarcerated for an offense that will  
34 require the person to register as a sex offender pursuant to Chapter  
35 5.5 (commencing with Section 290) of Title 9 of Part 1.

36 (2) Inmates whose parole term at the time of the commission  
37 of the offense was less than the parole term prescribed in  
38 subdivision (b).

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