

Introduced by Senator JonesFebruary 13, 2025

An act to add Section 6609.4 to the Welfare and Institutions Code, relating to sexually violent predators, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 379, as introduced, Jones. Sexually violent predators.

Existing law provides for the civil commitment of a person who is determined to be a sexually violent predator. Existing law establishes a procedure by which a person committed as a sexually violent predator may petition for conditional release and requires the court, if it makes a specified determination, to place the person on conditional release. Existing law generally requires that a person released on conditional release pursuant to these provisions be placed in the person's county of domicile prior to their incarceration unless extraordinary circumstances exist requiring placement outside the county, as specified. Existing law also prohibits the placement of a person released on conditional release within $\frac{1}{4}$ mile of any public or private school, as specified.

Existing law defines a sexually violent predator as a person who has been convicted of a sexually violent offense and has a diagnosed mental disorder that makes the person a danger to others in that they are likely to engage in sexually violent criminal behavior. Existing law requires the State Department of State Hospitals to notify the sheriff or chief of police, or both, the district attorney, or the county's designated counsel under specific circumstances, including when it makes a recommendation to the court for community outpatient treatment for a person committed as a sexually violent predator.

This bill, the Sexually Violent Predator Accountability, Fairness, and Enforcement Act, would require the State Department of State Hospitals to ensure department vendors consider public safety in the placement of a conditionally released sexually violent predator and approve a potential placement before a department employee or vendor signs a lease or rental agreement for the placement of a sexually violent predator, as specified.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. 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 6609.4 is added to the Welfare and
2 Institutions Code, to read:

3 6609.4. (a) This act shall be known, and may be cited, as the
4 Sexually Violent Predator Accountability, Fairness, and
5 Enforcement Act.

6 (b) The State Department of State Hospitals is responsible for
7 ensuring that department vendors consider public safety in the
8 placement of a sexually violent predator conditionally released
9 pursuant to this article.

10 (c) (1) The State Department of State Hospitals shall approve
11 a potential placement before a department employee or vendor
12 proposes a potential placement to a court, including signing a lease
13 or rental agreement regarding the placement of a sexually violent
14 predator who is scheduled to be conditionally released in the
15 community.

16 (2) This subdivision does not prohibit the placement of a
17 financial hold on a residence for purposes of assessing suitability
18 and public safety considerations for the prospective placement of
19 a person committed as a sexually violent predator.

20 SEC. 2. This act is an urgency statute necessary for the
21 immediate preservation of the public peace, health, or safety within
22 the meaning of Article IV of the California Constitution and shall
23 go into immediate effect. The facts constituting the necessity are:

24 In order to protect the public and ensure greater transparency in
25 the placement of sexually violent predators in communities at the

- 1 earliest possible time, it is necessary for this act to take effect
- 2 immediately.

O