

ASSEMBLY BILL

No. 46

Introduced by Assembly Member Stephanie Nguyen

December 2, 2024

An act relating to diversion.

LEGISLATIVE COUNSEL’S DIGEST

AB 46, as introduced, Stephanie Nguyen. Diversion: attempted murder.

Existing law authorizes a court to grant pretrial diversion to a defendant suffering from a mental disorder, on an accusatory pleading alleging the commission of a misdemeanor or felony offense, in order to allow the defendant to undergo mental health treatment. Existing law prohibits defendants charged with specified offenses, including murder, from being placed in this diversion program.

This bill would state the intent of the Legislature to add attempted murder to the list of specified offenses that would prohibit a defendant from being placed in this diversion program.

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 draft
- 2 legislation to add attempted murder, as defined, to the list of crimes
- 3 that would make a defendant ineligible for mental health diversion.

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