



## **PCA CA Notable Legislation Passed in 2007**

**AB 369 (Solario): Child Abuse Reporting** – *Signed* into law by the Governor on July 30<sup>th</sup>, the bill requires the Department of Justice to make available to a Court Appointed Special Advocate program that is conducting a background investigation of an applicant seeking employment with the program or a volunteer position as a Special Advocate, information contained in the Child Abuse Central Index regarding known or suspected child abuse by the applicant. Additionally, it requires the submission of fingerprint images and related information of employment and volunteer candidates for child abuse investigation records.

**AB 673 (Hayashi): Child Abuse or Neglect: Mandated Reports** – *Signed* amends the Child Abuse and Neglect Reporting Act to alter the terms “child abuse or neglect in out-of-home care” and “child abuse or neglect” to include death inflicted by other than accidental means. Additionally, it specifies that these provisions apply to a mandated reporter who acts in his or her private capacity, not in his or her professional capacity or within the scope of his or her employment.

**AB 1512 (Torrico): Medi-Cal: Foster Children** – *Signed* In its original form PCA CA had concerns with AB 1512, as it would have changed the law related to child abuse investigations and the use of confidential information in connection with these investigations. However, the bill was subjected to amendments that removed that content entirely. As amended the bill now requires that, whenever a foster child enrolled in a county organized health system is placed in an out-of-county placement, the county child welfare or probation agency with responsibility for the care and placement of the child determine, no later than one day after the out-of-county placement begins and in consultation with the child's foster caregiver, whether the child should remain in the county organized health system.

**ACR 34 (Nakanishi): Shaken Baby Syndrome Awareness Week** – *Adopted* recognized April 15 to April 21, 2007, as Shaken Baby Awareness Week.

**AJR 10 (Villines): Family Day** – *Adopted* memorializes the President and the Congress of the United States to proclaim the fourth Monday in September as Family Day-A Day to Eat Dinner with Your Children.

**AJR 19 (Ma): Healthy Families Program** – *Adopted* memorializes each Senator and Representative from California in the Congress of the United States to ensure that the Congress timely reauthorizes the State Children's Health Insurance Program to assure adequate federal funding for the Healthy Families Program. Urges the Governor to use his best efforts to work with the Congressional delegation in that regard and to provide meaningful assistance to help identify and enroll children who qualify Medi-Cal or Healthy Families Program.

**SB 22 (Migden): Breast Feeding – *Signed*** requires the Department of Public Health to recommend specified training to improve breast-feeding rates among mothers and infants for general acute care hospitals and special hospitals that provide maternity care and have patient breast-feeding rates in the lowest 25%. Additionally, it requires notification of hospital directors and simplification of the Medi-Cal program procedures to improve access to lactation supports and breast pumps.

**SB 39 (Migden): Welfare Agencies: Child Abuse and Neglect: Files – *Signed***, sponsored by the Children's Advocacy Institute and the National Center for Youth Law, requires juvenile case files pertaining to a child who died as the result of abuse or neglect to be released to the public with specific limitations. Additionally, it would require county departments to notify the Department of Social Services of child deaths within their jurisdiction that were as a result of child abuse or neglect.  
**Comment(s):** PCA CA was pleased to work with the author and her staff to ensure our privacy concerns were addressed.

**SB 104 (Machado): Crisis Nurseries – *Signed*** extends to July 1, 2011 the repeal date of provisions relating to the regulation of crisis nurseries as community care facilities.

**SCR 8 (Battin): Child Abuse Prevention Month – *Adopted*** acknowledged the month of April 2007 as Child Abuse Prevention Month and encouraged the people of the State to work together to support youth-serving child abuse prevention activities in their communities and schools.

**SCR 12 (Alquist): Brain Injury Awareness Month – *Adopted*** designates the month of March of each year as Brain Injury Awareness Month.

**SCR 48 (Harman): Child Awareness Week – *Adopted*** designated the week of September 17, 2007, as Child Awareness Week to honor children's charities, youth-serving organizations, and other nongovernmental organizations that are committed to enriching and bettering the lives of children and youth in the state and the rest of the country.

**SCR 50 (Harman): Child Abuse & Neglect – *Adopted*** encourages the State Board of Education to include instruction on preventing child abuse and neglect in the next set of health education content standards.

## **Two Year Bills to Watch in 2008**

**AB 172 (Bass): Foster Care – *2 Year Bill*** would require the Department of Social Services to contract with an entity with specified qualifications to establish a foster care parent and child home instruction and education pilot project. Additionally, it would set forth the duties of the department in connection with the program and the development of materials and curriculum.

**Position: *SUPPORT***

**AB 190 (Bass): Child Welfare Services – *2 Year Bill*** would require the state to budget the child welfare services program in accordance with specified optimal caseload standards recommended by the Child Welfare Service Stakeholders Group.

**Position: *SUPPORT***

**AB 261 (Lieber): Sex Offenders: Statute of Limitations – 2 Year Bill** would add sex offenses, including rape, sodomy, lewd or lascivious acts, oral copulation, continuous sexual abuse of a child, forcible acts of sexual penetration, and flight of a sex offender to avoid prosecution, to the list of crimes for which there is no statute of limitation for prosecution.

**Position:** **SUPPORT**

**AB 534 (Smyth): Crime Against Children – 2 Year Bill** would make it a misdemeanor for any person to publish information describing or depicting the physical appearance of a child, the location of a child, or locations where children may be found with the intent that another person use the information to commit a crime against a child and the information is likely to aid in the imminent commission of a crime against a child. Additionally, it would authorize a child's parent or legal guardian to seek a preliminary injunction enjoining any further publication of that information.

**Position:** **SUPPORT**

**AB 672 (Beall): Child Welfare Council: Children of Color – 2 Year Bill** would require the Child Welfare Council to develop a statewide vision, as well as strategies and program goals, to achieve a significant and substantial reduction in the inappropriate disproportionate representation of children of color in all components of the child welfare and foster care systems.

**Position:** **SUPPORT**

**AB 755 (Lieber): Corporal Punishment – 2 Year Bill** would authorize the finder of fact to consider the use of an implement, the throwing, kicking, burning, or cutting of a child, the striking a child with a closed fist, the striking of a child under the age of 3 on the face or head, the vigorous shaking of a child under the age of 3, the interference with a child's breathing, or the brandishing of a deadly weapon when determining if a defendant willfully caused any child to suffer physical pain or mental suffering unjustifiably.

**Position:** **Watch, Concerns**

**AB 1275 (DeSaulnier): Domestic Violence & Child Abuse – 2 Year Bill** would authorize a county board of supervisors to authorize an increase in the fees for certified copies of marriage certificates, birth certificates, fetal death records, and death records, for the purpose of funding governmental oversight and coordination of domestic violence and child abuse prevention.

**Comment(s):** PCA CA was pleased to work with Assemblyman DeSaulnier and his staff this year to address our concerns associated with the original version of the bill that would have redirected funding for child abuse services.

**Position:** **SUPPORT**

**AB 1475 (Galgiani): Crime: Child Abuse Reporting – 2 Year Bill** would expand the list of persons identified as mandated child abuse reporters to include commercial computer technicians. Furthermore, the expansion would include the persons who are required to report any film, photograph, videotape, negative, or slide depicting a child under the age of 16 years engaging in an act of sexual activity to computer technicians and computer files and recordings.

**Position:** **Watch**

**AB 1563 (Berryhill): Child Abuse – 2 Year Bill** would make changes to the law that provides that it is unlawful for any person to willfully cause or permit any child to suffer, or inflict thereon unjustifiable physical pain or mental suffering.

**Position:** **Watch**

**SB 126 (Harman): Health Education Content Standards – 2 Year Bill** would amend existing law that defines who is a mandated reporter of suspected child abuse and includes specified local agency employees and requires employers of mandated reporters to provide specified training. Additionally, it would require employers to provide their employees who are mandated reports with training resources on how to recognize specified types of crimes against children.

**Position:** **Watch**

**SB 153 (Migden): Victim Services – (2 Year Bill)**, sponsored by the California Coalition Against Sexual Assault (CalCASA), would have provided for a county to enter into grants for interview services with the Office of Emergency Services for the recovery of costs associated with the provision of child victim forensic evidentiary interviews conducted by child advocacy centers. Additionally, it would have authorized counties to establish such centers to coordinate the activities of the various agencies involved in the investigation and prosecution of alleged child abuse.

**Position:** **SUPPORT**

**SB 468 (Padilla): Shaken Baby Syndrome – (2 Year Bill)**, sponsored by Prevent Child Abuse California (PCA CA), would have established a pilot for an evidenced-based Shaken Baby Prevention Program in California modeled after a New York program that showed reductions in shaken baby cases by almost 50%. Despite a very solid start and strong bipartisan support, SB 468 ran into some fiscal and policy concerns from the Department of Social Services and the Assembly Appropriations Committee that PCA CA will work to address in 2008.

**Position:** **SUPPORT/SPONSOR**

**SB 605 (Alquist): Santa Clara County: Domestic Violence – 2 Year Bill** would authorize the Board of Supervisors of Contra Costa County to increase fees for certified copies of marriage certificates, birth certificates, fetal death records, and death records. Additionally, it would authorize the Board of Supervisor of Santa Clara County to increase the fees for certified copies of those records to fund government oversight and coordination of the multiple agencies dealing with domestic violence in that county.

**Position:** **OPPOSE**

**SB 893 (Cox): Children & Families Program – 2 Year Bill**, relating to the California Children and Families Act of 1998, would eliminate percentages for allocation to various accounts and provide that those funds be allocated and appropriated to the commission to provide health care services to children.

**Position:** **OPPOSE**

**SB 1022 (Steinberg): Child Abuse: Central Index – (2 Year Bill)** would have required the Department of Justice to remove information relating to a person whose name is listed in the Child Abuse Central Index as a suspect in a child abuse or neglect investigation due to an incident that occurred when the person was under 18 years of age if the incident did not result in a delinquency adjudication or criminal conviction. Additionally, it would have required notification if the minor is a suspected child abuser.

**Position:** **SUPPORT**

## **2008 Ballot Propositions**

➤ February 5, 2008 (Presidential Primary)

○ **Term Limits**

- Would reduce the total amount of time a person may serve in the state legislature from 14 years to 12 years. However, it would allow a person to serve a total of 12 years either in the Assembly, the Senate, or a combination of both. Provides a transition period to allow current members to serve a total of 12 consecutive years in the house in which they are currently serving, regardless of any prior service in another house. (To review in depth, please see [07-0004](#).)

*If you have any questions regarding these bills or others not mentioned, please contact Danielle Mole, Program Manager for Legislative Affairs for PCA CA, at (916) 244-1938 or Dawn Sanders Koepke, Legislative Advocate for PCA CA, at (916) 930-1993. Thank you!*