
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Nancy Skinner, Chair

2017 - 2018 Regular

Bill No: SB 1494 **Hearing Date:** April 24, 2018
Author: Committee on Public Safety
Version: April 18, 2018
Urgency: No **Fiscal:** No
Consultant: MK

Subject: *Public Safety Omnibus*

HISTORY

Source: Various

Prior Legislation: SB 811(Committee on Public Safety) Chapter 269, Stats. 2017
SB 1474 (Committee on Public Safety) Chapter 59, Stats. 2016
SB 795 (Committee on Public Safety) Chapter 499, Stats. 2015
SB 1461 (Committee on Public Safety) Chapter 54, Stats. 2014
SB 514 (Committee on Public Safety) Chapter 59, Stats. 2013
SB 1144 (Strickland) Chapter 867, Stats. 2012
SB 428 (Strickland) Chapter 304, Stats. 2011
SB 1062 (Strickland) Chapter 708, Stats. 2010
SB 174 (Strickland) Chapter 35, Stats. 2009
SB 1241 (Margett) Chapter 699, Stats. 2008
SB 425 (Margett) Chapter 302, Stats. 2007
SB 1422 (Margett) Chapter 901, Stats. 2006
SB 1107 (Committee on Public Safety) Chapter 279, Stats. 2005
SB 1796 (Committee on Public Safety) Chapter 405, Stats. 2004
SB 851 (Committee on Public Safety) Chapter 468, Stats. 2003
SB 1852 (Committee on Public Safety) Chapter 545, Stats. 2002
SB 485 (Committee on Public Safety) Chapter 473, Stats. 2001
SB 832 (Committee on Public Safety) Chapter 853, Stats. 1999
SB 1880 (Committee on Public Safety) Chapter 606, Stats. 1998

Support: Unknown

Opposition: None known

PURPOSE

The purpose of this bill is to make technical and non-controversial changes to various code sections relating generally to criminal justice laws, as specified.

Existing law provides that oral copulation is the act of copulating the mouth of one person with the sexual organ or anus of another. (Penal Code § 288a)

This bill changes the code section number to 287 and makes corresponding cross reference changes.

Existing law requires drivers to provide proof of insurance to law enforcement officer when a vehicle is stopped for a violation of the Vehicle or when the driver is in an accident. (Vehicle Code § 16028)

This bill makes a technical change to this section to clarify both the base fine and whether the violation is correctable.

Existing law requires specified actions regarding lost or stolen guns. (Penal Code §§ 16520 and 27535)

This bill makes changes to those provisions to update them to conform to changes enacted by Proposition 63.

This bill makes a number of other technical changes.

COMMENTS

1. Purpose of This Bill

This is the annual omnibus bill. In past years, the omnibus bill has been introduced by all members of the Committee on Public Safety. This bill is similar to the ones introduced as Committee bills in the past, in that it has been introduced with the following understanding:

- The bill's provisions make only technical or minor non-controversial changes to the law; and,
- There is no opposition by any member of the Legislature or recognized group to the proposal.

This procedure has allowed for introduction of fewer minor bills and has saved the Legislature time and expense over the years.

2. Changing Penal Code Section 288a to Penal Code Section 287.

In existing law Penal Code Section 288a makes oral copulation a crime. The section is often confused with Penal Code Section 288(a) which is lewd act upon a child. This bill will change 288a to the unused code section 287 to eliminate that confusion. In addition this bill makes 80 cross reference changes to reflect this change.

3. Vehicle Code Clarification

Existing law requires drivers to provide proof of insurance to law enforcement officer when a vehicle is stopped for a violation of the Vehicle or when the driver is in an accident. (Vehicle Code § 16028) Because of a drafting error when sections in the Vehicle Code were reorganized, a reference made it unclear what the base fine is and whether the violations were correctable. This bill makes a technical change to clarify the section.

4. Lost and Stolen guns

Existing law governs what an owner must do when a handgun has been lost or stolen. Proposition 63 added some gun related sections but failed to update the sections governing lost and stolen handguns. This bill makes those changes.

5. Other technical changes

This bill makes a number of other technical changes to a number of sections.

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