

Legislative Summary Report



2024 Legislative Year

**2024 Legislation Affecting the
Department of State Hospitals**

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INTRODUCTION

This report provides an overview of legislation affecting the Department of State Hospitals (DSH) in 2024.

During the second year of the 2023-24 Legislative Session, 2,532 measures were introduced. DSH's Office of Legislation monitored or tracked over 160 of those bills (plus many that carried over from the prior year) and provided final recommendations on eleven bills that reached the Governor's desk.

DSH manages the nation's largest inpatient forensic mental health hospital system. Its mission is to provide evaluation and treatment in a safe and responsible manner, by leading innovation and excellence in state hospital operations, across a continuum of care and settings. DSH is responsible for the daily care and provision of mental health treatment of over 7,400 patients. DSH oversees five state hospitals (Atascadero, Coalinga, Metropolitan, Napa, and Patton) and employs over 12,000 staff. In fiscal year (FY) 2023-24, DSH served over 14,000 patients, with 9,510 served across the state hospitals, 1,881 in JBCT, 506 in CIF, 859 in CBR contracted programs, and 897 in CONREP programs. 11,897 individuals were treated within a DSH inpatient program and 2,117 were served through DSH's outpatient programs. Through Early Access Stabilization Services (EASS) and Re-Evaluation services, during FY 2023-24, DSH initiated services for 2,797 patients in EASS, and off ramped 198 through DSH's Re-Evaluation program. In addition, 207 individuals were diverted from jail into county Diversion programs funded by DSH.

For more information about legislation in this report, please click the bill title or contact the Office of Legislation at Legislation@dsh.ca.gov or (916) 654-2316.

For more information about DSH, including the Department's values, vision, mission, or goals, please visit our Internet Web site at <http://www.dsh.ca.gov>.

ACRONYMS COMMONLY USED

AB	Assembly Bill
Cal-ICH	California Interagency Council on Homelessness
CARE	Community Assistance, Recovery, and Empowerment
CDCR	California Department of Corrections and Rehabilitation
CDPH	California Department of Public Health
CONREP	Conditional Release Program
DCA	Department of Consumer Affairs
DDS	Department of Developmental Services
DGS	Department of General Services
DHCS	Department of Health Care Services
DSH	Department of State Hospitals
DSH-Atascadero	Atascadero State Hospital
DSH-Coalinga	Coalinga State Hospital
DSH-Metropolitan	Metropolitan State Hospital
DSH-Napa	Napa State Hospital
DSH-Patton	Patton State Hospital
FY	Fiscal Year
IST	Incompetent to Stand Trial
JBCT	Jail-Based Competency Treatment Program
LPS	Lanterman-Petris-Short Act
NGI	Not Guilty by Reason of Insanity
OMD	Offender with a Mental Health Disorder
OPS	Office of Protective Services
SB	Senate Bill
SVP	Sexually Violent Predator

ENACTED PRIORITY LEGISLATION

This section includes bills directly impacting DSH that were signed into law by the Governor. All bills take effect January 1, 2025, unless otherwise noted.

[AB 310 \(Arambula, Ch. 231, Stats. of 2024\)](#) - Department of State Hospitals: civil service psychiatrists

This bill requires DSH to submit a one-time report to the Assembly and Senate Budget Committees by January 31, 2026, providing amounts expended during fiscal year (FY) 2024-25 for civil service psychiatrists, psychiatrists working additional caseload, and contracted psychiatrists.

[AB 1954 \(Alanis, Ch. 816, Stats. of 2024\)](#) - Sexually violent predators

This bill requires DSH to include specified representatives of an “alternative placement locality,” as defined, on the housing committee to provide assistance and consultation in DSH’s process of locating and securing housing for individuals who have been determined by a court to be SVPs entering CONREP. They are the sheriff or the chief of police, the county counsel, and the district attorney of the alternative placement county, or their designees. The bill also specifies that notice regarding an SVP CONREP placement pursuant to Welfare and Institutions Code [\(WIC\) §6609.1](#) be sent electronically and by certified mail. This bill permits DSH to conduct its housing committee meetings by teleconference, with public access.

[AB 2475 \(Haney, Ch. 963, Stats. of 2024\)](#) - Parole

This bill says that if a ruling by the Board of Parole Hearings that an individual meets the criteria as an OMD is reversed by a court or jury, the patient’s subsequent release from DSH shall be delayed for up to 30 days to allow for orderly release/discharge planning. Also, when the individual is eligible for post-release community supervision, CDCR shall have five working days to notify the probation department of the county of supervision of the pending release.

[SB 958 \(Dodd, Ch. 988, Stats. of 2024\)](#) - Surplus state property: Napa County

This bill will allow the sale of land used by DSH-Napa, known as Camp Coombs, with approval from the DGS Director and consent from DGS by or before January 1, 2026. It also separates that process from the previously authorized sale or exchange of Skyline Park, also within DSH-Napa.

Effective Date: September 29, 2024

[SB 1323 \(Menjivar, Ch. 646, Stats. of 2024\)](#) - Criminal procedure: competence to stand trial

This bill creates a number of changes to the mental competency system for defendants in felony cases, including requiring the court to determine if restoration to competency is in the interests of justice when a defendant has been deemed IST. If it is not in the interests of justice, the court is to grant mental health diversion or refer the defendant to Assisted Outpatient Treatment, to the county conservatorship investigator, or to the CARE program.

SB 1336 (Archuleta, Ch. 473, Stats. of 2024) - Department of General Services: state property: Metropolitan State Hospital

This bill allows DGS, with the consent of DSH, to lease to a nonprofit corporation or local government, for no more than 65 years, seven buildings located at DSH-Metropolitan in the City of Norwalk. The bill requires the lease to be entered into for the purposes of providing care, housing, or resources to persons with behavioral health needs.

ENACTED BUDGET LEGISLATION

This section includes Budget and Trailer bills that were signed into law by the Governor that are relevant to DSH. All bills take effect on the day they are signed, noted below.

[AB 107 \(Gabriel, Ch. 22, Stats. of 2024\)](#) - Budget Act of 2024

This is the Budget Act of 2024, including investments in improving the department's operations and delivery of services, and state hospital facility capital outlay project improvements.

Effective Date: June 26, 2024

[AB 177 \(Committee on Budget, Ch. 999, Stats. of 2024\)](#) - Health

This Trailer bill, among other unrelated topics, gives DSH one-year authority to develop regulations related to contraband items.

Effective Date: September 30, 2024

[SB 159 \(Com. on Budget and Fiscal Review, Ch. 40, Stats. of 2024\)](#) - Health

This Trailer bill makes various changes to implement the 2024 budget. It provides a mechanism to remove individuals from DSH's IST waitlist if the individual is not delivered by the Sheriff to a DSH facility within 90 days of notification to the court that DSH has a bed available for that individual; clarifies that DSH has the authority to receive medical records for individuals committed to DSH and requires public and private medical facilities to provide such records upon request; clarifies that when DSH recommends someone for restoration and they need continued care to maintain competence, the individual must go to a DSH facility; establishes authority for the court to address the issue of involuntary medications for such individuals; gives DSH authority to help discharging patients with obtaining California identification cards, including helping them get needed supporting documents; and requires DSH-contracted diversion programs to report data and outcomes monthly instead of quarterly.

Effective Date: June 29, 2024

ADDITIONAL ENACTED LEGISLATION

These bills relate to mental health, public safety, licensing, law enforcement, and general government issues that were signed into law by the Governor and may impact DSH. These bills may require DSH compliance with their provisions. All bills take effect January 1, 2025, unless otherwise noted. Bills are organized by subject matter.

Commitments and Court Proceedings

[AB 2154 \(Berman, Ch. 635, Stats. of 2024\)](#) - Mental health: involuntary treatment

This bill requires health facilities, including DSH hospitals, to provide a family member, as defined, of any person involuntarily detained under the LPS Act with a copy of DHCS' patients' rights handbook.

[AB 2283 \(Pacheco, Ch. 151, Stats. of 2024\)](#) - Civil actions: electronic service

This bill extends, until July 1, 2025, the requirement for a court to electronically serve parties who have consented to electronic service or in cases where the court has ordered electronic service.

Effective date: July 18, 2024

[SB 42 \(Umberg, Ch. 640, Stats. of 2024\)](#) - Community Assistance, Recovery, and Empowerment (CARE) Court Program: process and proceedings

This bill makes various changes to the CARE Act, including creating [WIC §5978.1](#), which allows facilities (including DSH hospitals as defined in [WIC §5008\(n\)](#)) the ability to refer LPS patients back to the county for CARE court, if appropriate.

Effective date: September 27, 2024

[SB 1317 \(Wahab, Ch. 326, Stats. of 2024\)](#) - Inmates: psychiatric medication: informed consent

This bill extends, until January 1, 2030, authority to provide involuntary medication for county jail inmates who are awaiting arraignment, trial, or sentencing.

[SB 1400 \(Stern, Ch. 647, Stats. of 2024\)](#) - Criminal procedure: competence to stand trial

When a defendant is found IST on a misdemeanor charge, this bill will require a court to determine if the defendant is eligible for diversion or other programs before considering dismissing the case. The bill decreases the requirement for dismissal of a charge from completion of, down to participation in, various programs, over specified timeframes. This bill prohibits dismissal when the defendant's case has been referred back to court prior to a specified program participation time period. This bill also significantly expands the data included in the annual CARE program report.

[SB 1473 \(Laird, Ch. 191, Stats. of 2024\)](#) - Sex offenders

This bill requires a sex offender management professional who administers a State Authorized Risk Assessment Tool for Sex Offenders (SARATSO) to send a test subject's score directly to the Department of Justice (DOJ) within 30 days of the assessment, rather than first sending the score to the test subject's parole or probation officer as required under existing law.

Employment

[AB 1137 \(Jones-Sawyer, Ch. 804, Stats. of 2024\)](#) - Excluded employees

This bill requires a state agency to notify an excluded employee of a denial of a merit salary adjustment 10 working days before the proposed effective date of the adjustment. This bill also requires the state to pay overtime pay and holiday credit to an excluded employee mandated to work on specified holidays.

[AB 1511 \(Santiago, Ch. 353, Stats. of 2024\)](#) - State government: diverse, ethnic, and community media

This bill requires state agencies that pay for marketing, advertising, or outreach, to develop a plan for increasing expenditures directed to ethnic media outlets and community media outlets, as specified.

[AB 1785 \(Pacheco, Ch. 551, Stats. of 2024\)](#) - California Public Records Act

This bill prohibits a public agency from publicly posting, as defined, both the name and assessor parcel number associated with the home address of any elected or appointed official, including appointed DSH staff.

[AB 1870 \(Ortega, Ch. 87, Stats. of 2024\)](#) - Notice to employees: legal services

This bill requires employers to include information about an employee's right to consult an attorney in a workers' compensation employee rights notice.

Hospitals and Clinical Staff

[AB 1991 \(Bonta, Ch. 369, Stats. of 2024\)](#) - Licensee and registrant renewal: National Provider Identifier

This bill requires health profession licensing boards within the DCA to require a licensee or registrant, including nurses and psychiatric technicians, who electronically renews their license or registration to provide their individual National Provider Identifier if they have one.

[AB 2107 \(Chen, Ch. 699, Stats. of 2024\)](#) - Pathology: remote review

This bill authorizes pathologists who primarily perform pathology services at a licensed laboratory, are acting within their scope of practice, and reviewing digital data, results, and images, to do so from a temporary remote site with access to a private network or other secured method if no laboratory equipment is needed.

[AB 3161 \(Bonta, Ch. 757, Stats. of 2024\)](#) - Health facilities: patient safety and antidiscrimination

This bill requires the patient safety plan for hospitals and skilled nursing facilities, including DSH facilities, to include a process for addressing racism and discrimination, including monitoring sociodemographic disparities in patients' safety events. The bill permits the California Department of Public Health (CDPH) to impose a fine of up to \$5,000 on health facilities for failure to adopt, update, or submit patient safety plans.

[SB 828 \(Durazo, Ch. 12, Stats. of 2024\)](#) - Minimum wages: health care workers: delay

This bill delays by one month the implementation of health care worker minimum wage increases scheduled to take effect June 1, 2024. Superseded by [SB 159 \(Sen. Health, Ch. 40, Stats. of 2024\)](#), which delayed this until October 15, 2024.

Effective date: May 31, 2024

[SB 1024 \(Ochoa Bogh, Ch. 160, Stats. of 2024\)](#) - Healing arts: Board of Behavioral Sciences: licensees and registrants

This bill revises licensure display and disclosure requirements for a Board of Behavioral Sciences licensee and clarifies the number of persons who count as supervisees, as specified.

Law Enforcement

[AB 1941 \(Quirk-Silva, Ch. 57, Stats. of 2024\)](#) - Local public employee organizations

This bill lets peace officer unions charge a non-union member peace officer, as specified, for the reasonable costs of the union's representation in a discipline, grievance, arbitration, or administration hearing.

[AB 2215 \(Bryan, Ch. 954, Stats. of 2024\)](#) - Criminal procedure: arrests

This bill provides that a peace officer may release a person arrested, without a warrant from custody, instead of taking the person before a magistrate, by delivering or referring that person to a public health or social service organization that provides specified services if the organization agrees to accept the referral and no further proceedings are desired.

[AB 2541 \(Bains, Ch. 333, Stats. of 2024\)](#) - Peace officer training: wandering

This bill requires the Commission on Peace Officer Standards and Training (POST) to develop guidelines to address wandering individuals who have Alzheimer's disease, autism, or dementia.

[AB 2546 \(Rendon, Ch. 408, Stats. of 2024\)](#) - Law enforcement and state agencies: military equipment: funding, acquisition, and use

This bill clarifies that the definition of “military equipment” refers to certain devices, such as tasers and sound-based weapons, with a general description of the device rather than a specific trade name.

[AB 3064 \(Maienschein, Ch. 540, Stats. of 2024\)](#) - Firearms

This bill imposes new requirements on manufacturers of firearm safety devices and the DOJ with regard to those devices, authorizes the DOJ to charge a fee for the processing of specified firearm transfer and importation forms, creates a misdemeanor for the furnishing of false or fictitious information in these reports, and grants the DOJ greater discretion in determining the process for submitting required firearm transfer and ownership reports, including those submitted by DSH, to the DOJ.

[AB 3092 \(Ortega, Ch. 69, Stats. of 2024\)](#) - Attorney General: law enforcement agencies: reporting requirements: deaths

This bill requires a law enforcement agency or state correctional facility that reports a death of a person in their custody to update its written report to the Attorney General within 10 days when a change in the case occurs or when the new information becomes available.

[SB 400 \(Wahab, Ch. 3, Stats. of 2024\)](#) - Peace officers: confidentiality of records

This bill clarifies that law enforcement agencies can disclose the termination for cause of a peace officer they formerly employed, as specified.

[SB 1019 \(Blakespear, Ch. 547, Stats. of 2024\)](#) - Firearms: destruction

This bill requires law enforcement agencies to destroy firearms, subject to destruction under existing law, in their entirety by smelting, shredding, crushing, or cutting all parts of the firearm, with specified exceptions. The bill requires every law enforcement agency to develop and make available on its website a written policy regarding the destruction of firearms.

Operations

[AB 1976 \(Haney, Ch. 689, Stats. of 2024\)](#) - Occupational safety and health standards: first aid materials: opioid

This bill requires the Division of Occupational Safety and Health (Cal/OSHA), before December 1, 2027, to submit a draft rulemaking proposal to require, in first aid materials in a workplace, naloxone hydrochloride or another opioid overdose treatment, and instructions for its use. The Occupational Safety and Health Standards Board shall consider for adoption these revised standards on or before December 1, 2028.

[AB 2975 \(Gipson, Ch. 749, Stats. of 2024\)](#) - Occupational safety and health standards: workplace violence prevention plan: hospitals

This bill requires the Occupational Safety and Health Standards Board to amend standards on workplace violence prevention to require certain licensed hospitals, including non-DSH acute psychiatric hospitals, to implement a weapons detection screening policy. The policy must require the use of weapons detection devices that automatically screen a person's body at specified entrances and adopt related policies, staffing, and signage.

[SB 957 \(Wiener, Ch. 868, Stats. of 2024\)](#) - Data collection: sexual orientation, gender identity, and intersex status

This bill requires, rather than permits, CDPH to collect data, including sexual orientation, gender identity, and variations in sex characteristics/intersex status (SOGISC), and intersexuality data from third parties, including from DSH, unless prohibited by law. This bill adds SOGISC to the information reported for the purpose of various immunization information systems. This bill requires CDPH to prepare an annual report concerning SOGISC data.

[SB 1034 \(Seyarto, Ch. 161, Stats. of 2024\)](#) - California Public Records Act

This bill allows an extended response time to a public records request during a Governor-proclaimed state of emergency when it affects the agency's ability to timely respond to requests. Specifies that this provision only applies to records not created during and applying to the state of emergency.

Miscellaneous

[AB 799 \(Rivas, Luz, Ch. 263, Stats. of 2024\)](#) - Interagency Council on Homelessness: funding: state programs

This bill makes various changes to Cal-ICH, including adding the Governor's Tribal Advisor to the member list, developing and maintaining a strategic funding guide and calendar, and adds new data sharing and publishing requirements.

[AB 1831 \(Berman, Ch. 926, Stats. of 2024\)](#) - Crimes: child pornography

This bill adds child pornography generated by artificial intelligence to the various definitions of "obscene matter" and "matter."

[AB 2119 \(Weber, Ch. 948, Stats. of 2024\)](#) - Mental health

This bill replaces various stigmatizing terms throughout existing law related to those with mental health conditions, including serious emotional disturbance, with updated and person-centered terms.

[SB 1518 \(Committee on Public Safety, Ch. 495, Stats. of 2024\)](#) - Omnibus

This bill makes technical and non-substantive changes to various criminal justice code sections, including two minor fixes to Penal Code Section 1370.

VETOED LEGISLATION

These bills relate to mental health, public safety, and general government issues that would have impacted DSH, but were vetoed by the Governor.

AB 1788 (Quirk-Silva) - Mental health multidisciplinary personnel team

This bill would have let counties establish a mental health multidisciplinary personnel team (MDT) to better connect people about to be released from jail to county supportive services. The bill would have allowed provider agencies and members of the MDT to share confidential information for the purpose of coordinating supportive services to ensure continuity of care.

AB 1890 (Patterson, Joe) - Public works: prevailing wage

This bill would have required a body awarding a public works contract to notify the Department of Industrial Relations within 30 days of any changes to the project registration involving the identity of a contractor or subcontractor or a change in the total amount of the contract, pursuant to specified cost thresholds.

AB 2549 (Gallagher) - Patient visitation

This bill would have required health facilities, including DSH, to allow a patient's immediate family to visit the patient, with certain exceptions. The bill would have required health facilities to develop alternate visitation protocols if the facility had to restrict access due to health or safety concerns and would have prohibited health facilities from barring in-person visitation in end-of-life situations. Also, to the extent those facilities required visitors to adhere to personal protective equipment (PPE) and testing protocols, they would have been required to provide PPE and testing to visitors in the same fashion provided to staff, if available.

AB 2693 (Wicks) - Childhood sexual assault: statute of limitations

This bill would have revived otherwise expired claims for damages suffered as a result of childhood sexual assault by an employee of a juvenile probation camp or detention facility owned and operated by a county.

AB 2903 (Hoover) - Homelessness

This bill would have required a state agency or department that administers state homelessness programs to annually report cost and outcome data to Cal-ICH and for Cal-ICH to make compiled data available to the public.

AB 3063 (McKinnor) - Pharmacies: compounding

This bill would have permitted all pharmacies, not just those licensed as "compounding pharmacies," to add flavoring agents to a prescription drug.

AB 3077 (Hart) - Criminal procedure: borderline personality disorder

This bill would have removed borderline personality disorder as an exclusionary diagnosis for DSH-funded mental health diversion for defendants found IST on felony charges and as an exclusion to dismiss a sentence enhancement in furtherance of justice.

SB 1155 (Hurtado) - Political Reform Act of 1974: postgovernment employment restrictions

This bill would have prohibited the head of a state administrative agency from engaging in any activity to influence legislative or administrative action by the Legislature or any state administrative agency for one year after leaving office.

OTHER LEGISLATION

This bill was passed by the Legislature but was not sent to the Governor for consideration. Thus, while it was not vetoed, it will not become law.

[AB 852 \(Jones-Sawyer\)](#) - Peace officers

This bill would have required a peace officer who is hired on or after January 1, 2029, to attain a modern policing degree, as specified, or a bachelor's or other advanced degree from an accredited college or university within 36 months of commencing their employment as a peace officer.