Overview

This bill changes the procedures governing the transfer to a correctional facility of a person who is civilly committed as a sexually dangerous person or person with a sexual psychopathic personality. Current law allows such a transfer if the commissioner of human services and a special review board deem the transfer appropriate based upon certain factors. This bill eliminates the requirement for this review and requires the transfer.

Section

1. **Transfer to correctional facility.** Amends the section of law pertaining to individuals committed as sexually dangerous persons and persons with sexual psychopathic personalities who are later committed to the custody of the commissioner of corrections. Current law allows the person to be transferred to a facility designated by the commissioner of corrections according to the procedures that apply to the transfer of a person who is mentally ill and dangerous, or according to the factors set forth in this section. The appropriateness of this determination is made by the commissioner of human services and a special review board.

This bill provides that this section applies when a person who has been committed is later committed to the custody of the commissioner of corrections for any reason, including being sentenced for a crime or for revocation of the person's supervised release or conditional release. This section requires the person to be transferred to a facility designated by the commissioner of corrections without regard to the procedures that apply to a person who is mentally ill or dangerous or the factors provided in current law.

Current law also provides that, when a person who is committed under this section finishes serving the person's sentence in a correctional facility, the person shall be transferred to a regional center designated by the commissioner of human services. This bill specifies that the person shall instead be transferred to a treatment program.
Effective date. The day following final enactment.