

AMENDED IN ASSEMBLY MARCH 7, 2024

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

ASSEMBLY BILL

No. 1986

Introduced by Assembly Member Bryan

January 30, 2024

An act to add Section 6150 to the Penal Code, relating to prisons.

LEGISLATIVE COUNSEL'S DIGEST

AB 1986, as amended, Bryan. State prisons: banned books.

Existing law grants a person sentenced to imprisonment the right to purchase, receive, and read any and all newspapers, periodicals, and books, as specified, subject to restrictions reasonably related to legitimate penological interests. Existing law authorizes the Department of Corrections and Rehabilitation to prescribe and amend rules and regulations for the administration of state prisons, including determining which materials are a threat to legitimate penological interests. Existing law creates the Office of the Inspector General and grants the Inspector General responsibility for oversight of the department, as specified.

This bill would require the Inspector General to post the ~~list of materials that have been banned~~ *Centralized List of Disapproved Publications maintained* by the department on the office's internet website. The bill would authorize the Inspector ~~General~~ *General, upon request*, to review ~~materials publications on the list~~ to determine whether there is a legitimate penological interest for *the publication* being on the ~~banned materials list~~, *list* and, if not, would ~~authorize the Inspector General to~~ require the department to remove that material from the department's ~~banned materials list~~. *list of disapproved publications*.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 6150 is added to the Penal Code, to read:

6150. (a) (1) The Office of the Inspector General shall post the ~~list of banned materials~~ *Centralized List of Disapproved Publications* maintained by the Department of Corrections and Rehabilitation on its internet website.

(2) The ~~list~~ *Centralized List of Disapproved Publications* shall include, but not be limited to, all of the following information about the ~~banned material~~: *each prohibited publication on the list*:

(A) The title.

(B) The author.

(C) The publisher.

(D) The year of publication.

(E) The stated legitimate penological interest for banning the ~~material~~: *publication*.

~~(b) (1) The Inspector General may review material on the banned materials list to determine if the reason for banning the material is reasonably related to a legitimate penological interest.~~

~~(2) If the Inspector General determines that there is not sufficient justification for banning the material, the Inspector General may require that the department remove the material from the list of banned materials.~~

(b) (1) Upon a request by an incarcerated person, publisher, or other affected person, the Inspector General may review a publication on the Centralized List of Disapproved Publications to determine if the reason for prohibiting the publication is reasonably related to a legitimate penological interest.

(2) If the Inspector General determines that the department's reason for including a publication on the Centralized List of Disapproved Publications is not reasonably related to a legitimate penological interest, the department shall remove the publication from the Centralized List of Disapproved Publications.

(c) For purposes of this section, ~~“material”~~ *“publication”* means any newspaper, periodical, magazine, or book that can be mailed through the United States Postal Service.