



JUDICIAL COUNCIL OF CALIFORNIA

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TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

MARTIN HOSHINO
Administrative Director

CORY T. JASPERSON
Director, Governmental Affairs

March 22, 2016

Hon. Mark Stone
Assembly Judiciary Committee
State Capitol, Room 5155
Sacramento, California 95814

Subject: AB 2232 (Obernolte), as introduced – Support/Sponsor
Hearing: Assembly Judiciary Committee – March 29, 2016

Dear Assembly Member Stone:

The Judicial Council is pleased to sponsor AB 2232, which addresses drafting errors in the rules governing retention of court files regarding certain misdemeanor traffic offenses. This bill reduces the requirement for courts to retain files regarding violations of Vehicle Code sections 23109 (speed contests) and 23109.5 (sentencing for speed contests) from ten years to five years while increasing the requirement for courts to retain files regarding violations of Vehicle Code section 23103 (reckless driving) from five years to ten years.

In 2013, a Judicial Council working group assisted in drafting language for AB 1352 (stats 2013, ch. 274), which made significant improvements in the laws that govern retention of court records and clarified the statutes pertaining to the new ways that court records are produced and may be retained. During that drafting, an incorrect code section was inserted in the final version of the bill. After the bill was chaptered, the error was brought to the attention of the Judicial Council.

In response, the Judicial Council has sponsored this bill, which ensures that reckless driving convictions are retained on the same ten-year retention schedule as convictions for driving under

March 22, 2016

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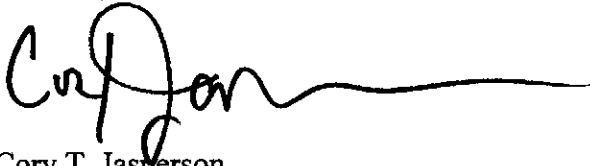
the influence of alcohol, and clarifies that convictions for speed contests are retained on the same five-year retention schedule as all other misdemeanor Vehicle Code violations. Leaving the statute as is will maintain an inconsistency in records retentions related to reckless driving convictions as compared to driving under the influence convictions, and will maintain in the law what was a drafting error.

With the passage of AB 2232, court record retention provisions will be updated and revised to reflect the intent of previously chaptered statutes, thereby enabling courts to function in a more effective manner.

For these reasons, the Judicial Council is supporting and sponsoring AB 2232.

Should you have any questions or require additional information, please contact Amanda Wells at 916-323-3121.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cory Jaspersen', with a long horizontal flourish extending to the right.

Cory T. Jaspersen
Director, Governmental Affairs

CTJ/SR/yc-s

cc: Members, Assembly Judiciary Committee
Hon. Jay Obernolte, Member of the Assembly
Mr. Eric Dang, Counsel, Assembly Judiciary Committee
Mr. Paul Dress, Consultant, Assembly Republican Office of Policy
Ms. June Clark, Deputy Legislative Affairs Secretary, Office of the Governor
Mr. Martin Hoshino, Administrative Director, Judicial Council of California



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July 7, 2016

Hon. Edmund G. Brown, Jr.
Governor of California
State Capitol, First Floor
Sacramento, California 95814

Subject: AB 2232 (Oberholte) – Request for Signature

Dear Governor Brown:

The Judicial Council respectfully requests your signature on AB 2232, which addresses drafting errors in the rules governing retention of court files regarding certain misdemeanor traffic offenses. This bill reduces the requirement for courts to retain files regarding violations of Vehicle Code sections 23109 (speed contests) and 23109.5 (sentencing for speed contests) from ten years to five years while increasing the requirement for courts to retain files regarding violations of Vehicle Code section 23103 (reckless driving) from five years to ten years.

In 2013, a Judicial Council working group assisted in drafting language for AB 1352 (Stats. 2013, ch. 274), which made significant improvements in the laws that govern retention of court records and clarified the statutes pertaining to the new ways that court records are produced and may be retained. During that drafting, an incorrect code section was inserted in the final version of the bill. After the bill was chaptered, the error was brought to the attention of the Judicial Council.

Hon. Edmund G. Brown, Jr.

July 7, 2016

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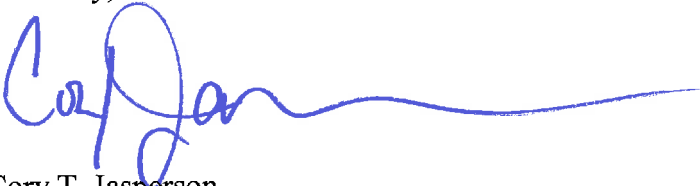
In response, the Judicial Council has sponsored this bill, which ensures that reckless driving convictions are retained on the same ten-year retention schedule as convictions for driving under the influence of alcohol, and clarifies that convictions for speed contests are retained on the same five-year retention schedule as all other misdemeanor Vehicle Code violations. Leaving the statute as is will maintain an inconsistency in records retentions related to reckless driving convictions as compared to driving under the influence convictions, and will maintain in the law what was a drafting error.

With the passage of AB 2232, court record retention provisions will be updated and revised to reflect the intent of previously chaptered statutes, thereby enabling courts to function in a more effective manner.

For these reasons, the Judicial Council requests your signature on AB 2232.

Should you have any questions or require additional information, please contact Andi Liebenbaum at 916-323-3121.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Cory Jasperson', with a long, flowing horizontal line extending to the right.

Cory T. Jasperson
Director, Governmental Affairs

CTJ/AL/yc-s

cc: Hon. Jay Obernolte, Member of the Assembly

Mr. Daniel Seeman, Deputy Legislative Affairs Secretary, Office of the Governor

Mr. Martin Hoshino, Administrative Director, Judicial Council of California