


MEMORANDUM

DATE	July 20, 2018
TO	Board of Psychology
FROM	 Jason Glasspiegel Central Services Coordinator
SUBJECT	Agenda Item #22(c)(1): AB 282 (Jones-Sawyer) – Aiding, Advising, or Encouraging Suicide: Exemption from Prosecution

Background:

AB 282 (Jones-Sawyer) would codify that any person whose actions are performed in compliance with the provisions in the End of Life Option Act cannot be prosecuted for those actions under Penal Code Section 401.

At the May 2018 Board Meeting, the Board voted to Support AB 282 (Jones Sawyer).

Location: Senate Floor

Status: 5/16/18 – Read second time and amended. Ordered to third reading.

Votes: 5/15/2018 Senate Committee on Public Safety (5-2-0)
1/18/2018 Assembly Floor (45-17-15)
1/9/2018 Assembly Committee on Public Safety (6-0-1)

Action Requested:

No action is required at this time. Staff will continue to advocate in **Support** of AB 282.

Attachment A: Letter in Support to Senate Floor
Attachment B: AB 282 (Jones-Sawyer) Bill Text

FLOOR ALERT

AB 282 (Jones-Sawyer) – Aiding, advising, or encouraging suicide: exemption from prosecution.

At its May 11, 2018 meeting, the Board of Psychology (Board) adopted a **SUPPORT** position on AB 282 (Jones-Sawyer). This bill would prohibit a person whose actions are compliant with the End of Life Option Act from being prosecuted for deliberately aiding, advising, or encouraging suicide.

This bill codifies the intent of the End of Life Option Act to create a safe and legal way for physicians and psychologists to assist individuals suffering from terminal illnesses to die with dignity. This bill simply codifies that these professional's participation in this process, when done in compliance with the End of Life Option Act, is not a prosecutable offense.

For this reason, the Board asks for your "Aye" vote when AB 282 (Jones-Sawyer) is heard in the Senate Floor.

Contact: Antonette Sorrnick, Board of Psychology, (916) 574-7113, antonette.sorrnick@dca.ca.gov

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AB-282 Aiding, advising, or encouraging suicide: exemption from prosecution. (2017-2018)

SECTION 1. Section 401 of the Penal Code is amended to read:

401. ~~Every~~ (a) *Any* person who deliberately aids, ~~or~~ advises, or encourages another to commit ~~suicide~~, *suicide* is guilty of a felony.

(b) A person whose actions are compliant with the provisions of the End of Life Option Act (Part 1.85 commencing with Section 443) of Division 1 of the Health and Safety Code) shall not be prosecuted under this section.