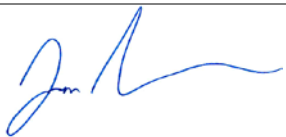


## MEMORANDUM

|                |  |
|----------------|--|
| <b>DATE</b>    | November 1, 2018   |
| <b>TO</b>      | Board of Psychology  |
| <b>FROM</b>    | <br>Jason Glasspiegel<br>Central Services Coordinator |
| <b>SUBJECT</b> | Agenda Item #24(b)(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).

On September 5, 2018, the Governor signed AB 282.

**Location:** Secretary of State

**Status:** 9/5/2018 – Chaptered by Secretary of State - Chapter 245, Statutes of 2018.

**Votes:** 8/20/2018 Assembly Floor (Concurrence) (54-20-6)  
8/6/2018 Senate Floor (25-9-5)  
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 complete a legislative advisory regarding the bill's impact on licensees and distribute the advisory to licensees and include it in the Board Journal.

Attachment A: AB 282 (Jones-Sawyer) Chaptered Text

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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.*