

## **EDUCATION CODE 44010**

"Sex offense," as used in Sections 44020, 44237, 44346, 44425, 44436, 44836, and 45123, means any one or more of the offenses listed below:

- (a) An offense defined in Section 220, 261, 261.5, 262, or 288.2, subdivision (c) of Section 290, Section 311.2, 313.1, or 647b, or subdivision (a) or (d) of Section 647, of the Penal Code.
- (b) An offense defined in former subdivision (5) of former Section 647 of the Penal Code repealed by Chapter 560 of the Statutes of 1961, or any offense defined in former subdivision (2) of former Section 311 of the Penal Code repealed by Chapter 2147 of the Statutes of 1961, if the offense defined in those sections was committed before September 15, 1961, to the same extent that an offense committed before that date was a sex offense for the purposes of this section before September 15, 1961.
- (c) An offense defined in Section 314 of the Penal Code committed on or after September 15, 1961.
- (d) An offense defined in former subdivision (1) of former Section 311 of the Penal Code repealed by Chapter 2147 of the Statutes of 1961 committed on or after September 7, 1955, and before September 15, 1961.
- (e) An offense involving lewd and lascivious conduct under Section 272 of the Penal Code committed on or after September 15, 1961.
- (f) An offense involving lewd and lascivious conduct under former Section 702 of the Welfare and Institutions Code repealed by Chapter 1616 of the Statutes of 1961, if that offense was committed before September 15, 1961, to the same extent that an offense committed before that date was a sex offense for the purposes of this section before September 15, 1961.
- (g) An offense defined in Section 286 or 288a of the Penal Code before the effective date of the amendment of either section enacted at the 1975-76 Regular Session of the Legislature committed before the effective date of the amendment.
- (h) An attempt to commit any of the offenses specified in this section.
- (i) An offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this state, would have been punishable as one or more of the offenses specified in this section.

- (j) A conviction for an offense resulting in the requirement to register as a sex offender pursuant to Section 290 of the Penal Code.
- (k) Commitment as a mentally disordered sex offender under former Article 1 (commencing with Section 6300) of Chapter 2 of Part 2 of Division 6 of the Welfare and Institutions Code, as repealed by Chapter 928 of the Statutes of 1981.

*(Amended by Stats. 2018, Ch. 92, Sec. 50. (SB 1289) Effective January 1, 2019.)*