

**Non-Exemptible Crimes for all CCLD Licensed Facility Types  
(Revised 7/15)**

1. Penal Code Section 37 – Treason
2. Penal Code Section 128 – Perjury resulting in the execution of an innocent person
3. Penal Code Section 136.1 with 186.22 – Felony Intimidation of Witnesses and Victims/ Gangs Related
4. Penal Code Sections 187, 190-190.4 and 192(a) etc. – Any Murder/ Attempted Murder/ Voluntary Manslaughter
5. Penal Code Sections 205 etc. – Any Mayhem
6. Penal Code Section 206 – Torture
7. Penal Code Sections 207, 208, 209, 209.5 – Kidnapping
8. Penal Code Sections 211, 212, 212.5, 213, 214 – Any Robbery
9. Penal Code Section 215 – Carjacking
10. Penal Code Section 218 or 219 – Train Wrecking
11. Penal Code Section 220 – Assault with intent to commit mayhem, rape, sodomy or oral copulation, etc.
12. Penal Code Section 243.4 – Sexual Battery and attempted
13. Penal Code Section 261(a)(1)(2)(3)(4) or (6) – Rape and attempted
14. Penal Code Section (a)(1) or (4) – Rape of Spouse
15. Penal Code Section 264.1 – Rape in concert and attempted
16. Penal Code Section 266 – Enticing minor into prostitution and attempted
17. Penal Code Section 266c – Induce to sexual intercourse, etc. by fear or consent through fraud
18. Penal Code Section 266h(b) – Pimping a minor
19. Penal Code Section 266i(b) – Pandering a minor
20. Penal Code Section 266(j) – Providing a minor under 16 for lewd or lascivious act
21. Penal Code Section 267 – Abjection for prostitution and attempted
22. Penal Code Section 269 – Aggravated assault of a child
23. Penal Code Section 272 – Contributing to delinquency of a minor and attempted
24. Penal Code Section 273a(a) or 273a(1) if the conviction was prior to January 1, 1994 – Willfully causing or permitting any child to suffer under circumstances or conditions likely to produce great bodily harm or death
25. Penal Code Section 273ab – assault of a child that produces great bodily injury, resulting in the child becoming comatose due to brain injury or suffering paralysis of a permanent nature or death
26. Penal Code Section 273d – Willfully inflicting any cruel or inhuman corporal punishment or injury on a child
27. Penal Code Section 285 – Incest and attempted
28. Penal Code Section 286 – Sodomy
29. Penal Code Section 288 – Lewd or lascivious act upon a child under 14 and attempted
30. Penal Code Section 288a – Oral Copulation
31. Penal Code Section 288.2 – Distributing lewd material to children and attempted
32. Penal Code Section 288.3 – Contact with a minor to commit sexual offense
33. Penal Code Section 288.4 – Meeting with a minor for sexual purpose
34. Penal Code Section 288.5 – Continuous sexual abuse of a child and attempted
35. Penal Code Section 288.7 – Sexual conduct with a child ten years or younger

36. Penal Code Section 289 – Genital or anal penetration by foreign object and attempted
37. Offenses listed at Penal Code Section 290(c) – Registration of sex offenders (All such offenses are included in this list)
38. Penal Code Section 311.1 – Sent or brought into state for Possession or distribution: child-related pornography and attempted
39. Penal Code Section 311.2(b), (c) or (d) – Sending or bringing into state, Possessing for distribution: child related pornography and attempted
40. Penal Code Section 311.3 – Sexual exploitation of a child and attempted
41. Penal Code Section 311.4 – Using a minor to assist in making or distributing child pornography and attempted
42. Penal Code Section 311.10 – Advertising or distributing child pornography and attempted
43. Penal Code Section 311.11 – Possessing child pornography and attempted
44. Penal Code Section 314(1) or (2) – Lewd or obscene exposure of private parts and attempted
45. Penal Code Section 347(a) – Poisoning or adulterating food, drink, medicine, pharmaceutical products, spring, well, or reservoir
46. Penal Code Section 368 – Elder or dependent adult abuse
47. Penal Code Section 417(b) – Drawing, Exhibiting, or Using Firearm or Deadly Weapon on the grounds of a day care center
48. Penal Code Section 451(a) – Arson with great bodily injury
49. Penal Code Section 451(b) – Arson of an inhabited structure or property – Applies to Family Child Care Homes, Child Care Centers and TrustLine Registry only
50. Penal Code Sections 518 with 186.22 – Extortion/ gang related
51. Penal Code Section 647.6 or prior to 1987 former section 647a – Annoy, molest child under 18 and attempted
52. Penal Code Section 653f(c) – Solicit another to commit rape, sodomy, etc.
53. Penal Code Section 664/187 – Any Attempted Murder
54. Penal Code Section 667.5(c)(7) – Any Felony punishable by death or imprisonment in the state prison for life without possibility of parole but not for an indeterminate sentence.
55. Penal Code Section 667.5(c)(8) – Enhancement for any felony which inflicts great bodily injury
56. Penal Code Sections 12308, 12309, 12310 – Exploding or igniting or attempting to explode or ignite any destructive device or explosive with the intent to commit murder
57. Penal Code Section 12022.53 – Enhanced Sentence for listed felonies where use of firearm
58. Penal Code Section 11418(b)(1) or (b)(2) – Weapons of Mass Destruction
59. Business and Professions Code Section 729 – Sexual Exploitation by Physicians, Surgeons, Psychotherapists, or Alcohol and Drug Abuse Counselors