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An act to amend Section 103680 of the Health and Safety Code, and to amend Section 832.6 of, and to amend, repeal, and add Section 13523 of, the Penal Code, relating to public safety.



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## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 103680 of the Health and Safety Code is amended to read:

103680. (a) ~~Effective January 1, 1991, an~~ An additional fee of three dollars (\$3) for the issuance of a permit for the disposition of human remains pursuant to Section 103675 shall be payable to the local registrar of births and deaths by the applicant for the permit. This amount shall be exempt from any adjustment made pursuant to Section 100430.

(b) Notwithstanding any other ~~provision of law~~, the local registrar of births and deaths shall pay into the ~~Peace Officers' Training State Penalty Fund~~, by the 10th of the month following the end of each calendar quarter one dollar (\$1) of the fee collected pursuant to subdivision (a) for the training of peace officer members of county coroners' offices. The remaining funds collected pursuant to subdivision (a) shall be paid into the county treasury to be expended for indigent burial.

SEC. 2. Section 832.6 of the Penal Code is amended to read:

832.6. (a) Every person deputized or appointed, as described in subdivision (a) of Section 830.6, shall have the powers of a peace officer only when the person is any of the following:

(1) A level I reserve officer deputized or appointed pursuant to paragraph (1) or (2) of subdivision (a) or subdivision (b) of Section 830.6 and assigned to the prevention and detection of crime and the general enforcement of the laws of this state, whether or not working alone, and the person has completed the basic training course for deputy sheriffs and police officers prescribed by the Commission on Peace Officer Standards and Training. For level I reserve officers appointed prior to January 1, 1997, the basic training requirement shall be the course that was prescribed at the time of their appointment. Reserve officers appointed pursuant to this paragraph shall satisfy the continuing professional training requirement prescribed by the commission.

(2) ~~(A)~~ A level II reserve officer assigned to the prevention and detection of crime and the general enforcement of the laws of this state while under the immediate supervision of a peace officer who has completed the basic training course for deputy sheriffs and police officers prescribed by the Commission on Peace Officer Standards and Training, and the level II reserve officer has completed the course required by Section 832 and any other training prescribed by the commission.

~~Level~~

~~(B)~~ Level II reserve officers appointed pursuant to this paragraph may be assigned, without immediate supervision, to those limited duties that are authorized for level III reserve officers pursuant to paragraph (3). Reserve officers appointed pursuant to this paragraph shall satisfy the continuing professional training requirement prescribed by the commission.

(3) Level III reserve officers may be deployed and are authorized only to carry out limited support duties not requiring general law enforcement powers in their routine performance. Those limited duties shall include traffic control, security at parades and sporting events, report taking, evidence transportation, parking enforcement, and other duties that are not likely to result in physical arrests. ~~Level III reserve officers~~ officers, while assigned these ~~duties~~ duties, shall be supervised in the accessible vicinity by a level I reserve officer or a full-time, regular peace officer employed by a law



enforcement agency authorized to have reserve officers. Level III reserve officers may transport prisoners without immediate supervision. Those persons shall have completed the training required under Section 832 and any other training prescribed by the commission for those persons.

(4) A person assigned to the prevention and detection of a particular crime or crimes or to the detection or apprehension of a particular individual or individuals while working under the supervision of a California peace officer in a county adjacent to the state border who possesses a basic certificate issued by the Commission on Peace Officer Standards and Training, and the person is a law enforcement officer who is regularly employed by a local or state law enforcement agency in an adjoining state and has completed the basic training required for peace officers in his or her state.

(5) (A) For purposes of this section, a reserve officer who has previously satisfied the training requirements pursuant to ~~this section, section~~ and has served as a level I or II reserve officer within the three-year period prior to the date of a new appointment shall be deemed to remain qualified as to the Commission on Peace Officer Standards and Training requirements if that reserve officer accepts a new appointment at the same or lower level with another law enforcement agency. If the reserve officer has more than a three-year break in service, he or she shall satisfy current training requirements.

~~This~~

(B) ~~This~~ training shall fully satisfy any other training requirements required by law, including those specified in Section 832.

~~In~~

(C) ~~In~~ no case shall a peace officer of an adjoining state provide services within a California jurisdiction during any period in which the regular law enforcement agency of the jurisdiction is involved in a labor dispute.

(b) Notwithstanding subdivision (a), a person who is issued a level I reserve officer certificate before January 1, 1981, shall have the full powers and duties of a ~~peace officer officer~~, as provided by Section ~~830.1~~ 830.1, if so designated by local ordinance or, if the local agency is not authorized to act by ordinance, by resolution, either individually or by class, if the appointing authority determines the person is qualified to perform general law enforcement duties by reason of the person's training and experience. Persons who were qualified to be issued the level I reserve officer certificate before January 1, 1981, and who state in writing under penalty of perjury that they applied ~~for for~~, but were not ~~issued issued~~, the certificate before January 1, 1981, may be issued the certificate before July 1, 1984. For purposes of this section, ~~certificates so that are~~ issued shall be deemed to have the full force and effect of any level I reserve officer certificate issued prior to January 1, 1981.

(c) In carrying out this section, the commission:

(1) May use proficiency testing to satisfy reserve training standards.

(2) Shall provide for convenient training to remote areas in the state.

(3) Shall establish a professional certificate for ~~reserve officers officers~~, as defined in paragraph (1) of subdivision ~~(a) (a)~~, and may establish a professional certificate for ~~reserve officers officers~~, as defined in paragraphs (2) and (3) of subdivision (a).

(4) Shall facilitate the voluntary transition of reserve officers to regular officers with no unnecessary redundancy between the training required for level I and level II reserve officers.



(d) In carrying out paragraphs (1) and (3) of subdivision (c), the commission may establish and levy appropriate fees, provided the fees do not exceed the cost for administering the respective services. These fees shall be deposited in the ~~Peace Officers' Training~~ State Penalty Fund established by Section ~~13520~~, 1464.

(e) The commission shall include an amount in its annual budget request to carry out this section.

SEC. 3. Section 13523 of the Penal Code is amended to read:

13523. (a) The commission shall annually allocate and the State Treasurer shall periodically pay from the Peace Officers' Training Fund, at intervals specified by the commission, to each city, county, district, or joint powers agency, that has applied and qualified for aid pursuant to this chapter an amount determined by the commission pursuant to standards set forth in its regulations. The commission shall grant aid only on a basis that is equally proportionate among cities, counties, districts, and joint powers agencies. State aid shall only be provided for training expenses of full-time regularly paid employees, as defined by the commission, of eligible agencies from cities, counties, districts, or joint powers agencies.

(b) In no event shall any allocation be made to any city, county, district, or joint power agency that is not adhering to the standards established by the commission as applicable to that city, county, district, or joint powers agency.

(c) This section shall become inoperative on July 1, 2019, and, as of January 1, 2020, is repealed.

SEC. 4. Section 13523 is added to the Penal Code, to read:

13523. (a) The commission shall annually allocate and the State Treasurer shall periodically pay from the State Penalty Fund, at intervals specified by the commission, to each city, county, district, or joint powers agency, that has applied and qualified for aid pursuant to this chapter an amount determined by the commission pursuant to standards set forth in its regulations. The commission shall grant aid only on a basis that is equally proportionate among cities, counties, districts, and joint powers agencies. State aid shall only be provided for training expenses of full-time regularly paid employees, as defined by the commission, of eligible agencies from cities, counties, districts, or joint powers agencies.

(b) An allocation shall not be made to any city, county, district, or joint power agency that is not adhering to the standards established by the commission as applicable to that city, county, district, or joint powers agency.

(c) This section shall become operative on July 1, 2019.



## LEGISLATIVE COUNSEL'S DIGEST

Bill No.  
as introduced, \_\_\_\_\_.  
General Subject: Commission on Peace Officer Standards and Training: grant funding.

Existing law creates the State Penalty Fund into which moneys collected by the courts from the imposition of fines, forfeitures, or penalties on criminal offenses are deposited.

Existing law creates the Peace Officers' Training Fund, a continuously appropriated fund, and requires the Commission on Peace Officer Standards and Training to annually allocate from the fund to each city, county, district, or joint powers agency that has applied and qualified for aid a grant amount determined by the commission, as specified. Existing law authorizes the commission to establish and levy appropriate fees in carrying out specified responsibilities relating to training and certifying reserve officers, and requires those fees to be deposited in the Peace Officers' Training Fund. Existing law requires an additional fee of \$3 for the issuance of a permit for the disposition of human remains to be payable to the local registrar of births and deaths, and requires the local registrar of births and deaths to pay \$1 of that \$3 fee into the Peace Officers' Training Fund.

This bill would instead require those fees to be deposited and payed into the State Penalty Fund. The bill would also, commencing July 1, 2019, require the commission to instead annually allocate from the State Penalty Fund to each city, county, district, or joint powers agency that has applied and qualified for aid an amount determined by the commission.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

