

ASSEMBLY BILL

No. 2118

Introduced by Assembly Member Dickerson

February 19, 2002

An act to amend Sections 6303 and 6304.1 of the Labor Code, relating to volunteer firefighting, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 2118, as introduced, Dickerson. Cal-OSHA: volunteer firefighters.

Existing law, effective January 1, 2002, provides that the California Occupational Safety and Health Act applies to volunteer firefighters.

This bill would delay the applicability of the act as to volunteer firefighters until January 1, 2005, except as to claims that arose between January 1, 2002, and the effective date of this bill.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 6303 of the Labor Code is amended to
2 read:

3 6303. (a) "Place of employment" means any place, and the
4 premises appurtenant thereto, where employment is carried on,
5 except a place the health and safety jurisdiction over which is

1 vested by law in, and actively exercised by, any state or federal
2 agency other than the division.

3 (b) "Employment" includes the carrying on of any trade,
4 enterprise, project, industry, business, occupation, or work,
5 including all excavation, demolition, and construction work, or
6 any process or operation in any way related thereto, in which any
7 person is engaged or permitted to work for hire, except household
8 domestic service. ~~"Employment,"~~

9 (c) "Employment," for purposes of this division only, also
10 includes volunteer firefighting when covered by Division 4
11 (commencing with Section 3200) pursuant to Section 3361.

12 (d) *Subdivision (c) shall become operative on January 1, 2005.*

13 SEC. 2. Section 6304.1 of the Labor Code is amended to read:
14 6304.1. (a) "Employee" means every person who is
15 required or directed by any employer to engage in any employment
16 or to go to work or be at any time in any place of employment.
17 ~~"Employee"~~

18 (b) "Employee" also includes volunteer firefighters covered
19 by Division 4 (commencing with Section 3200) pursuant to
20 Section 3361.

21 (c) *Subdivision (b) shall become operative on January 1, 2005.*

22 (d) *This act does not affect claims that arose pursuant to*
23 *Division 5 of this code between January 1, 2002, and the effective*
24 *date of this act.*

25 SEC. 3. This act is an urgency statute necessary for the
26 immediate preservation of the public peace, health, or safety
27 within the meaning of Article IV of the Constitution and shall go
28 into immediate effect. The facts constituting the necessity are:

29 Because of the additional time investment, and increased cost
30 for equipment and training for volunteers to meet the same
31 requirements as regular firefighters, is necessary that this act take
32 effect immediately to prevent the loss of volunteer firefighters.

