

ASSEMBLY BILL

No. 920

Introduced by Assembly Member Brownley

February 22, 2007

An act to add Section 146g to the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 920, as introduced, Brownley. Peace officers: misuse of information.

Existing law defines who may act with the authority of a peace officer.

This bill would make any peace officer who exchanges or solicits the exchange of information obtained by the peace officer in the course and scope of the peace officer's official duties for compensation or consideration guilty of a misdemeanor. This bill would also make any person who solicits a peace officer to exchange information obtained by the peace officer in the course and scope of the peace officer's official duties for compensation or consideration guilty of a misdemeanor.

Because this bill would create new crimes, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

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

1 SECTION 1. Section 146g is added to the Penal Code, to read:
2 146g. (a) Any peace officer, as defined in Chapter 4.5
3 (commencing with Section 830) of Title 3 of Part 2, who does
4 either of the following is guilty of a misdemeanor:

5 (1) Discloses information obtained in the course and scope of
6 his or her official duties in exchange for compensation or
7 consideration.

8 (2) Solicits the exchange of information obtained in the course
9 and scope of his or her official duties for compensation or
10 consideration.

11 (b) Any person who solicits a peace officer to disclose
12 information obtained in the course and scope of the peace officer's
13 official duties in exchange for compensation or consideration, is
14 guilty of a misdemeanor.

15 SEC. 2. No reimbursement is required by this act pursuant to
16 Section 6 of Article XIII B of the California Constitution because
17 the only costs that may be incurred by a local agency or school
18 district will be incurred because this act creates a new crime or
19 infraction, eliminates a crime or infraction, or changes the penalty
20 for a crime or infraction, within the meaning of Section 17556 of
21 the Government Code, or changes the definition of a crime within
22 the meaning of Section 6 of Article XIII B of the California
23 Constitution.