

ASSEMBLY BILL

No. 2245

Introduced by Assembly Member Soto

February 20, 2008

An act to amend Section 12002 of the Penal Code, relating to enforcement officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 2245, as introduced, Soto. Illegal dumping enforcement officers: use of batons.

Existing law provides that certain public officers, like animal control officers, are not prohibited from carrying any wooden club or baton if the officers have satisfactorily completed a specified course of instruction in the carrying and use of the club or baton.

This bill would apply this provision to illegal dumping enforcement officers.

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

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

- 1 SECTION 1. Section 12002 of the Penal Code is amended to
2 read:
3 12002. (a) Nothing in this chapter prohibits police officers,
4 special police officers, peace officers, or law enforcement officers
5 from carrying any wooden club, baton, or any equipment
6 authorized for the enforcement of law or ordinance in any city or
7 county.

1 (b) Nothing in this chapter prohibits a uniformed security guard,
2 regularly employed and compensated by a person engaged in any
3 lawful business, while actually employed and engaged in protecting
4 and preserving property or life within the scope of his or her
5 employment, from carrying any wooden club or baton if the
6 uniformed security guard has satisfactorily completed a course of
7 instruction certified by the Department of Consumer Affairs in the
8 carrying and use of the club or baton. The training institution
9 certified by the Department of Consumer Affairs to present this
10 course, whether public or private, is authorized to charge a fee
11 covering the cost of the training.

12 (c) The Department of Consumer Affairs, in cooperation with
13 the Commission on Peace Officer Standards and Training, shall
14 develop standards for a course in the carrying and use of the club
15 or baton.

16 (d) Any uniformed security guard who successfully completes
17 a course of instruction under this section is entitled to receive a
18 permit to carry and use a club or baton within the scope of his or
19 her employment, issued by the Department of Consumer Affairs.
20 The department may authorize certified training institutions to
21 issue permits to carry and use a club or baton. A fee in the amount
22 provided by law shall be charged by the Department of Consumer
23 Affairs to offset the costs incurred by the department in course
24 certification, quality control activities associated with the course,
25 and issuance of the permit.

26 (e) Any person who has received a permit or certificate which
27 indicates satisfactory completion of a club or baton training course
28 approved by the Commission on Peace Officer Standards and
29 Training prior to January 1, 1983, shall not be required to obtain
30 a baton or club permit or complete a course certified by the
31 Department of Consumer Affairs.

32 (f) Any person employed as a county sheriff's or police security
33 officer, as defined in Section 831.4, shall not be required to obtain
34 a club or baton permit or to complete a course certified by the
35 Department of Consumer Affairs in the carrying and use of a club
36 or baton, provided that the person completes a course approved
37 by the Commission on Peace Officer Standards and Training in
38 the carrying and use of the club or baton, within 90 days of
39 employment.

1 (g) Nothing in this chapter prohibits an animal control officer,
2 as described in Section 830.9, *or an illegal dumping enforcement*
3 *officer, as described in Section 830.7*, from carrying any wooden
4 club or baton if the animal control officer *or illegal dumping*
5 *enforcement officer* has satisfactorily completed a course of
6 instruction certified by the Department of Consumer Affairs in the
7 carrying and use of the club or baton. The training institution
8 certified by the Department of Consumer Affairs to present this
9 course, whether public or private, is authorized to charge a fee
10 covering the cost of the training.

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