

Senate Bill No. 52

Passed the Senate August 17, 2009

Secretary of the Senate

Passed the Assembly July 9, 2009

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2009, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to repeal Sections 3404 and 3405 of, and to repeal and add Sections 3401, 3402, and 3403 of, the Government Code, relating to the Public Safety Officer Medal of Valor.

LEGISLATIVE COUNSEL'S DIGEST

SB 52, Correa. Public Safety Officer Medal of Valor.

The Public Safety Officer Medal of Valor Act establishes the Medal of Valor Review Board that recommends candidates to the Attorney General for the Medal of Valor from among the applications received by the board. Existing law prohibits the board from meeting more than once each year or from recommending any more than 5 candidates to the Attorney General. The act authorizes the Attorney General to increase the number of candidates in a given year in extraordinary cases.

The Public Safety Officer Medal of Valor Act authorizes the Governor to annually award and present in the name of the State of California a Medal of Valor to one public safety officer, as defined, who is cited by the Attorney General, upon the recommendation of the board, for extraordinary valor above and beyond the call of duty. In exceptional circumstances, the Governor is authorized to award more than one Medal of Valor in a year. The Medal of Valor is the highest state award for valor awarded to a public safety officer.

This bill would remove the limit on the number of candidates that the board may recommend. The bill would also eliminate the provisions that prohibit the board from meeting more than once a year. The bill would also authorize the Governor to award and present the Medal of Valor to one or more public safety officers, as specified. The bill would specifically provide that the costs incurred by members and witnesses shall not be paid by the state, and would prohibit the board from holding hearings or having witnesses if donated funds are not available.

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

SECTION 1. Section 3401 of the Government Code is repealed.

SEC. 2. Section 3401 is added to the Government Code, to read:

3401. The Governor annually may award and present, in the name of the State of California, a Public Safety Medal of Valor of appropriate design, with ribbons and appurtenances, to one or more public safety officers cited by the Attorney General pursuant to Section 3402 for extraordinary valor above and beyond the call of duty. The medal shall be the highest state award for valor awarded to a public safety officer, which includes any person serving a public agency, with or without compensation, as a firefighter, a law enforcement officer, including a corrections or court officer or a civil defense officer, or an emergency services officer.

SEC. 3. Section 3402 of the Government Code is repealed.

SEC. 4. Section 3402 is added to the Government Code, to read:

3402. (a) There exists in state government the Public Safety Medal of Valor Review Board, whose purpose is to solicit and review applications for, and make recommendations to the Attorney General regarding, the Public Safety Medal of Valor.

(b) The board shall be comprised of one representative selected by each of the following organizations:

- (1) The California Association of Highway Patrolmen.
- (2) The California Coalition of Law Enforcement Associations.
- (3) The California Correctional Peace Officers Association.
- (4) The California Peace Officers' Association.
- (5) The California Police Chiefs' Association.
- (6) The California Professional Firefighters.
- (7) The California State Firefighters' Association.
- (8) The California State Sheriffs' Association.
- (9) The California Statewide Law Enforcement Association.
- (10) The Peace Officers Research Association of California.
- (11) A group, selected by the board, that represents emergency medical technicians and paramedics.

(c) The board shall be chaired by a member elected by a majority vote of the members at the first official meeting of the board each year. The board shall meet at the call of the chair. Members shall serve without compensation or reimbursement for travel, per diem, or other expenses, and they shall minimize travel and expenses to the greatest extent possible. Any cost incurred by a member as a result of serving as a member shall not be paid by the state.

(d) The board shall review the applications for the medal to determine which applicants, if any, to recommend to the Attorney General. The board may hear from witnesses and consider whatever information it considers advisable to carry out its duties. The board may secure directly from any state department, or other state or local agency, information as the board considers necessary to carry out its duties. Upon the request of the board, the head of a department or agency may furnish information to the board. The board shall not disclose any information that may compromise an ongoing law enforcement investigation or is otherwise required by law to be kept confidential.

(e) Not more often than once each year, the board may present to the Attorney General the name or names of those persons, if any, it recommends as candidates for the medal.

(f) The board may receive donations to pay for meeting and witness expenses. Witnesses requested to appear before the board may be paid no more than the fees paid to witnesses pursuant to the Code of Civil Procedure. The per diem and mileage allowance may be paid from funds donated to the board and shall not be paid by the state. If donated funds are not available to the board, the board shall not hold hearings or have witnesses.

SEC. 5. Section 3403 of the Government Code is repealed.

SEC. 6. Section 3403 is added to the Government Code, to read:

3403. (a) The Attorney General shall review the candidates recommended to him or her by the Public Safety Medal of Valor Review Board and advise the Governor which candidates, if any, merit the Attorney General's citation for extraordinary valor above and beyond the call of duty.

(b) The Attorney General shall pay for the production of the medals from existing resources within the Department of Justice.

SEC. 7. Section 3404 of the Government Code is repealed.

SEC. 8. Section 3405 of the Government Code is repealed.

Approved _____, 2009

Governor