

AMENDED IN SENATE FEBRUARY 8, 2012

AMENDED IN ASSEMBLY MARCH 8, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 666

Introduced by Assembly Member Jeffries

February 17, 2011

~~An act relating to public lands, and declaring the urgency thereof, to take effect immediately to add Article 4 (commencing with Section 789) to Chapter 2.5 of Division 1 of the Public Resources Code, relating to forestry and fire protection.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 666, as amended, Jeffries. ~~Public lands: State Public Works Board. Department of Forestry and Fire Protection: employment: criminal background checks.~~

Existing law requires the Department of Forestry and Fire Protection to be responsible for the fire protection, fire prevention, maintenance, and enhancement of the state's forest, range, and brushland resources, contract fire protection, associated emergency services, and assistance in civil disasters and other nonfire emergencies.

This bill would require the department to conduct a state and federal level criminal offender record information search through the Department of Justice prior to hiring an applicant, as defined, for a position with the department or the State Board of Forestry and Fire Protection, with exceptions. The bill would require the Department of Justice to provide the information electronically, and require the department to request the Department of Justice to provide subsequent arrest notification services.

This bill would require the department to make and enforce those regulations necessary and proper for the implementation and maintenance of the requirements of these provisions. The bill would require the department to implement the requirements of these provisions utilizing any existing funds that are available to the department.

~~Existing law requires that all land and other real property to be acquired by or for a state agency, other than specifically listed agencies, be acquired by the State Public Works Board. Existing law requires that the jurisdiction over real property acquired by the board remains in the Department of General Services until the property is needed for the purpose for which it was acquired.~~

~~This bill would authorize the State Public Works Board to acquire from the Jurupa Area Recreation and Park District certain land in Riverside County in the Jurupa Mountains that is adjacent to 2 state-owned parcels that are part of the Stringfellow Acid Pits Contamination Site. The bill would require the board to transfer that land to the Department of Toxic Substances Control.~~

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

~~Vote: $\frac{2}{3}$ -majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.~~

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

- 1 *SECTION 1. Article 4 (commencing with Section 789) is added*
- 2 *to Chapter 2.5 of Division 1 of the Public Resources Code, to read:*
- 3
- 4 *Article 4. Employment Applicant Criminal Background Check*
- 5
- 6 *789. For purposes of this article, “applicant” means a person*
- 7 *applying for permanent, full-time employment with the department*
- 8 *or the board.*
- 9 *790. Each applicant shall have his or her fingerprint images*
- 10 *and related information submitted to the department for submission*
- 11 *to the Department of Justice, pursuant to regulations adopted*
- 12 *pursuant to Section 794, for a state and federal level criminal*
- 13 *offender record information search, including subsequent arrest*
- 14 *information.*

1 791. Each application for employment shall require the
2 applicant's social security number in order to establish the identity
3 of the applicant. The information obtained as a result of a state
4 and federal level criminal offender record information search shall
5 be used in accordance with Section 11105 of the Penal Code, and
6 to determine whether the applicant is eligible for employment.

7 792. (a) (1) Prior to hiring an applicant for employment with
8 the department or the board, the department shall electronically
9 submit to the Department of Justice fingerprint images and related
10 information of the applicant that the Department of Justice requires
11 to determine the existence and content of a record of state or
12 federal convictions and state or federal arrests, and also
13 information as to the existence and content of a record of state or
14 federal arrests for which the Department of Justice establishes
15 that the person is free on bail or on his or her own recognizance
16 pending trial or appeal, as provided pursuant to subdivision (p)
17 of Section 11105 of the Penal Code.

18 (2) When received, the Department of Justice shall forward to
19 the Federal Bureau of Investigation requests for federal summary
20 criminal history information received pursuant to this subdivision.
21 The Department of Justice shall review the information returned
22 from the Federal Bureau of Investigation and compile and
23 electronically disseminate a response to the department, as
24 provided pursuant to Section 11105 of the Penal Code.

25 (3) The Department of Justice shall electronically provide the
26 response to the department.

27 (b) The department shall request the Department of Justice to
28 provide subsequent arrest notification service, as provided
29 pursuant to Section 11105.2 of the Penal Code, for persons
30 described in subdivision (a).

31 (c) The Department of Justice shall charge a fee sufficient to
32 cover the cost of processing the request described in this section.

33 793. A certified EMT-I or EMT-II shall be exempt from the
34 requirements of this article if he or she meets all of the following
35 conditions:

36 (a) He or she is currently certified pursuant to Division 2.5
37 (commencing with Section 1797) of the Health and Safety Code.

38 (b) His or her fingerprint images were previously submitted to
39 the Department of Justice and a state and federal level criminal

1 offender record information search, including subsequent arrest
2 information, has been conducted.

3 (c) He or she submits to the department a written verification
4 that the certifying entity, as defined in Section 1797.62 of the
5 Health and Safety Code, the Emergency Medical Services
6 Authority, as described in Section 1797.101 of the Health and
7 Safety Code, or the employer has had a state and federal level
8 criminal offender record information search conducted, including
9 subsequent arrest information, and that nothing in the criminal
10 offender record information search precluded the individual from
11 obtaining EMT-I or EMT-II certification.

12 794. The department shall make and enforce those regulations
13 that are necessary and proper for the implementation and
14 maintenance of the requirements of this article.

15 795. The department shall implement the requirements of this
16 article utilizing any existing funds that are available to the
17 department.

18 ~~SECTION 1. The Legislature finds and declares all of the~~
19 ~~following:~~

20 ~~(a) The Jurupa Area Recreation and Park District is purchasing~~
21 ~~162 acres of land in Riverside County (APN 174-020-001) in the~~
22 ~~Jurupa Mountains from a private entity. Escrow for the purchase~~
23 ~~is scheduled to close during July 2011.~~

24 ~~(b) The Jurupa Area Recreation and Park District intends to~~
25 ~~transfer 30 acres of this parcel of land to the state to be managed~~
26 ~~by the Department of Toxic Substances Control. This portion of~~
27 ~~land is adjacent to two state-owned parcels that are part of the~~
28 ~~Stringfellow Acid Pits Contamination Site.~~

29 ~~(c) The purpose of this act is to authorize the State Public Works~~
30 ~~Board to acquire the 30 acres of land for transfer to the Department~~
31 ~~of Toxic Substances Control.~~

32 ~~SEC. 2. The State Public Works Board may acquire from the~~
33 ~~Jurupa Area Recreation and Park District the 30 acres of land that~~
34 ~~is a portion of APN 174-020-001 in Riverside County in the Jurupa~~
35 ~~Mountains and is adjacent to two state-owned parcels that are part~~
36 ~~of the Stringfellow Acid Pits Contamination Site. The board shall~~
37 ~~transfer those 30 acres of land to the Department of Toxic~~
38 ~~Substances Control.~~

39 ~~SEC. 3. This act is an urgency statute necessary for the~~
40 ~~immediate preservation of the public peace, health, or safety within~~

1 ~~the meaning of Article IV of the Constitution and shall go into~~
2 ~~immediate effect. The facts constituting the necessity are:~~
3 ~~In order for the State Public Works Board to acquire and~~
4 ~~complete the transfer of specified lands in Riverside County in the~~
5 ~~Jurupa Mountains to the Department of Toxic Substances Control~~
6 ~~during July 2011, it is necessary that this act take effect~~
7 ~~immediately.~~

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