

AMENDED IN ASSEMBLY MAY 19, 2011

AMENDED IN ASSEMBLY APRIL 14, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 911

Introduced by Assembly Member Ma

February 17, 2011

An act to amend Sections 20070 and 20081 of, and to add Sections 20070.4, 20070.5, and 20082 to, the Health and Safety Code, relating to police protection districts.

LEGISLATIVE COUNSEL'S DIGEST

AB 911, as amended, Ma. Police protection districts.

Existing law provided, until October 1, 1959, for the formation and administration of police protection districts in unincorporated towns, and provides for the continuation of police protection districts formed prior to that date. Existing law provides that a police protection district is to be governed by a district board consisting of 3 elected commissioners. Existing law further provides that a police protection district's police department, its chief of police, and its employees shall have all the rights, duties, privileges, immunities, obligations, and powers of a municipal police department.

This bill would grant police protection districts additional powers, including, but not limited to, the ability to adopt ordinances and resolutions, as specified. This bill would specify that a violation of any rule, regulation, or ordinance adopted by a board of police commissioners would be a misdemeanor.

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 20070 of the Health and Safety Code is
2 amended to read:

3 20070. A district formed under this division shall have, and
4 it may exercise, all the rights and powers, expressed and implied
5 by law, necessary to carry out the purposes and intent of this
6 division, including, but not limited to, the following powers:

7 (a) To adopt, by ordinance or resolution, and enforce rules and
8 regulations necessary for the administration, operation, use, and
9 maintenance of the facilities and services of the district, *except*
10 *where preempted by state or federal law. Ordinances shall be*
11 *adopted pursuant to the procedures set forth in Article 7*
12 *(commencing with Section 25120) of Chapter 1 of Part 2 of*
13 *Division 2 of Title 3 of the Government Code. Ordinances*~~and~~
14 ~~resolutions~~ adopted by the district shall be limited to those
15 authorized under this division or related to the following:

16 (1) The setting of all fees and charges for services provided by
17 the district.

18 (2) Regulation of tow trucks and towing firms operating in the
19 district.

20 (3) Regulation and administrative oversight of vehicles for hire,
21 including taxicabs,~~except where preempted by state or federal~~
22 ~~law.~~

23 ~~(4) The establishment and collection of emergency response~~
24 ~~cost recovery fees.~~

25 ~~(b) To adopt ordinances following the procedures set forth in~~
26 ~~Article 7 (commencing with Section 25120) of Chapter 1 of Part~~
27 ~~2 of Division 2 of Title 3 of the Government Code.~~

28 ~~(e)~~

29 (b) To adopt a seal and alter it.

30 ~~(d)~~

31 (c) To provide insurance pursuant to Part 6 (commencing with
32 Section 989) of Division 3.6 of Title 1 of the Government Code.

33 ~~(e)~~

34 (d) To regulate vehicles for hire, as provided in Section 53075.5
35 of the Government Code, except vehicles for hire that are licensed
36 or permitted by, and under the jurisdiction of, the Public Utilities
37 Commission.

1 SEC. 2. Section 20070.4 is added to the Health and Safety
2 Code, to read:

3 20070.4. A district may destroy a record pursuant to Chapter
4 7 (commencing with Section 60200) of Division 1 of Title 6 of
5 the Government Code.

6 SEC. 3. Section 20070.5 is added to the Health and Safety
7 Code, to read:

8 20070.5. (a) Violation of any rule, regulation, or ordinance
9 adopted by a district board is a misdemeanor punishable pursuant
10 to Section 19 of the Penal Code.

11 (b) Any citation issued by a district employee for violation of
12 a rule, regulation, or ordinance adopted by a district board may be
13 processed as an infraction pursuant to subdivision (d) of Section
14 17 of the Penal Code.

15 (c) To protect property and to preserve the peace at facilities
16 owned, managed, or operated by, or under the control of, a district,
17 a district board may by ordinance or resolution confer upon
18 designated uniformed district employees the power to issue
19 citations for misdemeanor and infraction violations of state law,
20 city or county ordinances, or district rules, regulations, or
21 ordinances when the violation is committed within or upon a
22 district facility and in the presence of the employee issuing the
23 citation. District employees shall issue citations pursuant to Chapter
24 5C (commencing with Section 853.5) of Title 3 of Part 2 of the
25 Penal Code and Chapter 2 (commencing with Section 40300) of
26 Division 17 of the Vehicle Code.

27 SEC. 4. Section 20081 of the Health and Safety Code is
28 amended to read:

29 20081. In addition to the duties specified in this chapter, the
30 district board shall have the power to take any and all actions
31 necessary for, or incidental to, the powers expressed or implied
32 by this division.

33 SEC. 5. Section 20082 is added to the Health and Safety Code,
34 to read:

35 20082. This article shall be liberally construed to effectuate its
36 purposes.

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