

**ASSEMBLY BILL**

**No. 1643**

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**Introduced by Assembly Member Dickinson**

February 13, 2012

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An act to amend Section 831.4 of the Penal Code, relating to public officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1643, as introduced, Dickinson. Public officers: County of Sacramento.

Under existing law, a sheriff's or police security officer is a public officer whose duties are limited to the physical security of properties owned, operated, controlled, or administered by the county or city, or any municipality or special district contracting for police services from the county or city, and other necessary duties, as specified.

This bill would authorize the duties of a security officer employed by the Chief of Police of the City of Sacramento or the Sheriff of the County of Sacramento to also include the security and protection of properties of public agencies, privately owned companies, or nonprofit entities that contract for security services with the City or County of Sacramento, whose primary business supports national defense, whose facility is qualified as a national critical structure, or that stores or manufactures material that, if stolen, vandalized, or otherwise compromised, may compromise national security or pose a danger to residents within the County of Sacramento. The bill would provide for reimbursement to the City or County of Sacramento for providing those services.

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 831.4 of the Penal Code is amended to  
 2 read:

3 831.4. (a) (1) A sheriff’s or police security officer is a public  
 4 officer, employed by the sheriff of a county or police chief of a  
 5 city, whose primary duty is the security of locations or facilities  
 6 as directed by the sheriff or police chief. The duties of a sheriff’s  
 7 or police security officer shall be limited to the physical security  
 8 and protection of properties owned, operated, controlled, or  
 9 administered by the county or city, or any municipality or special  
 10 district contracting for police services from the county or city  
 11 pursuant to Section 54981 of the Government Code, or necessary  
 12 duties with respect to the patrons, employees, and properties of  
 13 the employing county, city, or contracting entities.

14 (2) *In addition to the duties in paragraph (1), the duties of a*  
 15 *security officer employed by the Chief of Police of the City of*  
 16 *Sacramento or the Sheriff of the County of Sacramento may also*  
 17 *include the physical security and protection of any properties*  
 18 *owned, operated, or administered by any public agency, privately*  
 19 *owned company, or nonprofit entity contracting for security*  
 20 *services from the City or County of Sacramento, whose primary*  
 21 *business supports national defense, or whose facility is qualified*  
 22 *as a national critical infrastructure under federal law or by a*  
 23 *federal agency, or that stores or manufactures material that, if*  
 24 *stolen, vandalized, or otherwise compromised, may compromise*  
 25 *national security or pose a danger to residents within the County*  
 26 *of Sacramento. Any contract entered into pursuant to this*  
 27 *paragraph shall provide for full reimbursement to the City or*  
 28 *County of Sacramento of the actual costs of providing those*  
 29 *services, as determined by the county auditor or auditor-controller,*  
 30 *or by the city. Prior to contracting for services pursuant to this*  
 31 *paragraph, the Sacramento County Board of Supervisors or the*  
 32 *governing board of the City of Sacramento shall discuss the*  
 33 *contract and the requirements of this paragraph at a duly noticed*  
 34 *public hearing.*

35 (b) A sheriff’s or police security officer is not a peace officer  
 36 nor a public safety officer as defined in Section 3301 of the  
 37 Government Code. A sheriff’s or police security officer may carry  
 38 or possess a firearm, baton, and other safety equipment and

1 weapons authorized by the sheriff or police chief while performing  
2 the duties authorized in this section, and under the terms and  
3 conditions specified by the sheriff or police chief. These persons  
4 may not exercise the powers of arrest of a peace officer, but may  
5 issue citations for infractions if authorized by the sheriff or police  
6 chief.

7 (c) Each sheriff's or police security officer shall satisfactorily  
8 complete a course of training as specified in Section 832 prior to  
9 being assigned to perform his or her duties. Nothing in this  
10 subdivision shall preclude the sheriff or police chief from requiring  
11 additional training requirements.

12 (d) Notwithstanding any other law, nothing in this section shall  
13 be construed to confer any authority upon any sheriff's or police  
14 security officer except while on duty, or confer any additional  
15 retirement benefits to persons employed within this classification.