

Assembly Bill No. 1643

CHAPTER 48

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

[Approved by Governor June 28, 2012. Filed with
Secretary of State June 28, 2012.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1643, 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.

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

SECTION 1. Section 831.4 of the Penal Code is amended to read:

831.4. (a) (1) A sheriff's or police security officer is a public officer, employed by the sheriff of a county or police chief of a city, whose primary duty is the security of locations or facilities as directed by the sheriff or police chief. The duties of a sheriff's or police security officer shall be limited to the physical security and protection 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 pursuant to Section 54981 of the Government Code, or necessary duties with respect to the patrons, employees, and properties of the employing county, city, or contracting entities.

(2) In addition to the duties in paragraph (1), 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 may also include the physical security and protection of any properties owned, operated, or administered by any public agency, privately owned company, or nonprofit entity contracting for security services from the City or County of Sacramento, whose primary business supports national defense, or whose facility is qualified as a national critical infrastructure under federal law or by a federal agency, 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. Any contract entered into pursuant to this paragraph shall provide for full reimbursement to the City or County of Sacramento of the actual costs of providing those services, as determined by the county auditor or auditor-controller, or by the city. Prior to contracting for services pursuant to this paragraph, the Sacramento County Board of Supervisors or the governing board of the City of Sacramento shall discuss the contract and the requirements of this paragraph at a duly noticed public hearing.

(b) A sheriff's or police security officer is not a peace officer nor a public safety officer as defined in Section 3301 of the Government Code. A sheriff's or police security officer may carry or possess a firearm, baton, and other safety equipment and weapons authorized by the sheriff or police chief while performing the duties authorized in this section, and under the terms and conditions specified by the sheriff or police chief. These persons may not exercise the powers of arrest of a peace officer, but may issue citations for infractions if authorized by the sheriff or police chief.

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

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