

Assembly Bill No. 2623

Passed the Assembly August 30, 2012

Chief Clerk of the Assembly

Passed the Senate August 29, 2012

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2012, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 830.38 of the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 2623, Allen. State hospitals: peace officers.

Under existing law, peace officers of a state hospital under the jurisdiction of the State Department of State Hospitals or the State Department of Developmental Services are authorized to carry firearms only as authorized and under terms and conditions specified by their employing agency.

This bill would require the State Department of State Hospitals, by June 30, 2013, to adopt a policy regarding arming peace officers of state hospitals under its jurisdiction while performing security functions outside of the secure area of the hospital, and would require the department to implement the policy by January 1, 2014.

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

SECTION 1. Section 830.38 of the Penal Code is amended to read:

830.38. The officers of a state hospital under the jurisdiction of the State Department of State Hospitals or the State Department of Developmental Services appointed pursuant to Section 4313 or 4493 of the Welfare and Institutions Code, are peace officers whose authority extends to any place in the state for the purpose of performing their primary duty or when making an arrest pursuant to Section 836 as to any public offense with respect to which there is immediate danger to person or property, or of the escape of the perpetrator of that offense, or pursuant to Section 8597 or 8598 of the Government Code provided that the primary duty of the peace officers shall be the enforcement of the law as set forth in Sections 4311, 4313, 4491, and 4493 of the Welfare and Institutions Code. Those peace officers may carry firearms only if authorized and under terms and conditions specified by their employing agency. By June 30, 2013, the State Department of State Hospitals shall develop a policy regarding arming state hospital peace officers

under its jurisdiction while those officers are performing hospital security functions outside of the secure area of the hospital. The department shall implement this policy by January 1, 2014.

Approved _____, 2012

Governor