

ASSEMBLY BILL

No. 1783

Introduced by Assembly Member Jones-Sawyer

February 18, 2014

An act to amend Section 19635 of the Government Code, relating to public employees.

LEGISLATIVE COUNSEL'S DIGEST

AB 1783, as introduced, Jones-Sawyer. Public employees: rights.

Existing law requires notice of any adverse action against any state employee for any cause for discipline based on any civil service law to be served within 3 years after the cause for discipline, upon which the notice is based, first arose. Existing law provides that an adverse action based on fraud, embezzlement, or the falsification of records is valid if notice of the adverse action is served within 3 years after the discovery of the fraud, embezzlement, or falsification.

This bill would require that notice of any adverse action for discipline, other than for fraud, embezzlement, or falsification of records, be served and the investigation completed within one year from the time the cause for discipline arose.

Vote: 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. Section 19635 of the Government Code is
2 amended to read:
3 19635. ~~No~~-(a) *Except as provided in subdivision (b), no*
4 adverse action shall be valid against any state employee for any

1 cause for discipline based on any civil service law of this state,
2 unless notice of the adverse action is served ~~within three years~~
3 ~~after the cause for discipline, upon which the notice is based, first~~
4 ~~arose. Adverse~~ *and the investigation is completed within one year*
5 *after the cause for discipline arose.*

6 (b) Adverse action based on fraud, embezzlement, or the
7 falsification of records shall be valid, if notice of the adverse action
8 is served within three years after the discovery of the fraud,
9 embezzlement, or falsification.