

Introduced by Senator KnightFebruary 15, 2013

An act to amend Section 25905 of the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

SB 303, as introduced, Knight. Peace officers: identification certificates.

Existing law requires that any peace officer who has been honorably retired be issued an identification certificate by the law enforcement agency from which the officer has retired.

This bill would require that if the agency from which the officer has retired is no longer providing law enforcement services or the relevant governmental body is unincorporated, the agency that subsequently provides law enforcement services for that jurisdiction shall issue the identification certificate to that peace officer.

By imposing additional duties on local law enforcement agencies, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

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

1 SECTION 1. Section 25905 of the Penal Code is amended to
2 read:

3 25905. (a) Any peace officer described in Section 25900 who
4 has been honorably retired shall be issued an identification
5 certificate by the law enforcement agency from which the officer
6 has retired. *If the agency from which the officer has retired is no
7 longer providing law enforcement services or the relevant
8 governmental body is unincorporated, the agency that subsequently
9 provides law enforcement services for that jurisdiction shall issue
10 the identification certificate to that peace officer.*

11 (b) The issuing agency may charge a fee necessary to cover any
12 reasonable expenses incurred by the agency in issuing certificates
13 pursuant to Sections 25900, 25910, 25925, and this section.

14 (c) Any officer, except an officer listed in Section 830.1 or
15 830.2, subdivision (a) of Section 830.33, or subdivision (c) of
16 Section 830.5 who retired prior to January 1, 1981, shall have an
17 endorsement on the identification certificate stating that the issuing
18 agency approves the officer’s carrying of a loaded firearm.

19 (d) An honorably retired peace officer listed in Section 830.1
20 or 830.2, subdivision (a) of Section 830.33, or subdivision (c) of
21 Section 830.5 who retired prior to January 1, 1981, shall not be
22 required to obtain an endorsement from the issuing agency to carry
23 a loaded firearm.

24 SEC. 2. No reimbursement is required by this act pursuant to
25 Section 6 of Article XIII B of the California Constitution because
26 a local agency or school district has the authority to levy service
27 charges, fees, or assessments sufficient to pay for the program or
28 level of service mandated by this act, within the meaning of Section
29 17556 of the Government Code.