

ASSEMBLY BILL

No. 546

Introduced by Assembly Member Gonzalez

February 23, 2015

An act to amend Section 832 of the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 546, as introduced, Gonzalez. Peace officers: basic training requirements.

Existing law requires every peace officer to complete an introductory course of training prescribed by the Commission on Peace Officer Standards and Training, except for specifically exempted categories of peace officers, and imposes other training requirements on those persons who would exercise the powers of peace officers. Existing law provides that a probation department that is a certified provider of that training course shall not be required to offer the course to the general public.

This bill would authorize a probation department to apply to either the commission or the Board of State and Community Corrections to become a certified provider of that training course for the purpose of training probation officers.

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 832 of the Penal Code is amended to
2 read:

1 832. (a) Every person described in this chapter as a peace
2 officer shall satisfactorily complete an introductory training course
3 prescribed by the Commission on Peace Officer Standards and
4 Training. On or after July 1, 1989, satisfactory completion of the
5 course shall be demonstrated by passage of an appropriate
6 examination developed or approved by the commission. Training
7 in the carrying and use of firearms shall not be required of a peace
8 officer whose employing agency prohibits the use of firearms.

9 (b) (1) Every peace officer described in this chapter, prior to
10 the exercise of the powers of a peace officer, shall have
11 satisfactorily completed the training course described in subdivision
12 (a).

13 (2) Every peace officer described in Section 13510 or in
14 subdivision (a) of Section 830.2 may satisfactorily complete the
15 training required by this section as part of the training prescribed
16 pursuant to Section 13510.

17 (c) Persons described in this chapter as peace officers who have
18 not satisfactorily completed the course described in subdivision
19 (a), as specified in subdivision (b), shall not have the powers of a
20 peace officer until they satisfactorily complete the course.

21 (d) A peace officer who, on March 4, 1972, possesses or is
22 qualified to possess the basic certificate as awarded by the
23 Commission on Peace Officer Standards and Training is exempted
24 from this section.

25 (e) (1) A person completing the training described in
26 subdivision (a) who does not become employed as a peace officer
27 within three years from the date of passing the examination
28 described in subdivision (a), or who has a three-year or longer
29 break in service as a peace officer, shall pass the examination
30 described in subdivision (a) prior to the exercise of the powers of
31 a peace officer, except for a person described in paragraph (2).

32 (2) The requirement in paragraph (1) does not apply to a person
33 who meets any of the following requirements:

34 (A) Is returning to a management position that is at the second
35 level of supervision or higher.

36 (B) Has successfully requalified for a basic course through the
37 Commission on Peace Officer Standards and Training.

38 (C) Has maintained proficiency through teaching the course
39 described in subdivision (a).

1 (D) During the break in California service, was continuously
2 employed as a peace officer in another state or at the federal level.

3 (E) Has previously met the requirements of subdivision (a), has
4 been appointed as a peace officer under subdivision (c) of Section
5 830.1, and has been continuously employed as a custodial officer
6 as defined in Section 831 or 831.5 by the agency making the peace
7 officer appointment since completing the training prescribed in
8 subdivision (a).

9 (f) The commission may charge appropriate fees for the
10 examination required by subdivision (e), not to exceed actual costs.

11 (g) Notwithstanding any other law, the commission may charge
12 appropriate fees for the examination required by subdivision (a)
13 to each applicant who is not sponsored by a local or other law
14 enforcement agency, or is not a peace officer employed by, or
15 under consideration for employment by, a state or local agency,
16 department, or district, or is not a custodial officer as defined in
17 Sections 831 and 831.5. The fees shall not exceed actual costs.

18 (h) (1) A probation department that is a certified provider of
19 the training course described in this section shall not be required
20 to offer the course to the general public.

21 (2) *A probation department may apply to either the commission*
22 *or the Board of State and Community Corrections to become a*
23 *certified provider of the training course described in this section*
24 *for the purpose of training probation officers.*