

AMENDED IN SENATE SEPTEMBER 4, 2015

AMENDED IN SENATE AUGUST 18, 2015

AMENDED IN SENATE JUNE 23, 2015

AMENDED IN ASSEMBLY MAY 18, 2015

AMENDED IN ASSEMBLY APRIL 20, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1042

Introduced by Assembly Member Cooper

February 26, 2015

An act to amend Section 7574.11 of, and to amend, repeal, and add Sections 7574.01 and 7574.14 of, the Business and Professions Code, and to amend Section 201.3 of the Labor Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

AB 1042, as amended, Cooper. Proprietary security services.

The Proprietary Security Services Act generally regulates the proprietary private security vocation, and requires a proprietary private security officer to, among other things, register with the Department of Consumer Affairs and complete specified training. The act defines a proprietary private security officer as an unarmed individual who, among other qualifications, meets 2 specific criteria of being required to wear a distinctive uniform clearly identifying him or her as a security officer and of being likely to interact with the public while performing his or her duties. The act exempts specified persons from its requirements.

This bill, on and after January 1, 2017, would expand the definition of a proprietary private security officer by instead requiring one of the 2 specific criteria to be met. The bill would revise one of the criteria, on and after January 1, 2017, to require the likelihood of interacting with the public while providing security services, ~~as defined.~~ *defined to include, among other things, acting to prevent or deter unapproved or unlawful entry.*

The bill would also exempt, on and after January 1, 2017, from the act ~~an unarmed, plain clothed person employed by a retail store to exclusively report or prevent theft from the retail store.~~ *unarmed person who is employed by a retailer of merchandise at a retail merchandise store to report or prevent theft from the store and who wears plain clothes or clothes with only the logo or business name of the retailer of merchandise. The bill would also exempt, on and after that date, an employee at an entertainment or sports venue, as specified, whose primary duties consist of screening guests and their personal items before venue entry, checking admission tickets, or directing guests, and seeking assistance from law enforcement or security personnel when that would be the ordinary and customary response of an employee under specified circumstances.*

The Private Security Services Act provides for the licensure and regulation of private patrol operators by the Bureau of Security and Investigative Services in the Department of Consumer Affairs. Existing law defines a private patrol operator as a person who, for consideration, agrees to furnish, or furnishes, a watchman, guard patrolperson, or other person to protect persons or property or to prevent the theft, unlawful taking, loss, embezzlement, misappropriation, or concealment of any property; or performs the service of a watchman, guard, patrolperson, or other person, for any of these purposes. Existing law defines a security guard as an employee of a private patrol operator who performs those above-referenced functions on or about the premises owned or controlled by the customer of the private patrol operator or by the guard's employer or in the company of persons being protected.

Existing law generally requires that an employee of a temporary services employer, as defined, be paid weekly. Existing law provides that a violation of these provisions is punishable as a misdemeanor.

This bill would provide for that weekly pay requirement to apply to a security officer employed by a private patrol operator who is a temporary services employer, as provided.

By expanding the scope of crime, the 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 7574.01 of the Business and Professions
2 Code is amended to read:
3 7574.01. (a) For the purposes of this chapter, the following
4 terms shall have the following meanings:
5 (1) “Bureau” means the Bureau of Security and Investigative
6 Services.
7 (2) “Chief” means the Chief of the Bureau of Security and
8 Investigative Services.
9 (3) “Director” means the Director of Consumer Affairs, unless
10 the context indicates otherwise.
11 (4) “Person” includes any individual, firm, company,
12 association, organization, partnership, and corporation.
13 (5) “Proprietary private security employer” means a person who
14 has one or more employees who provide security services for the
15 employer and only for the employer. A person who employs
16 proprietary private security officers pursuant to this chapter at
17 more than one location shall be considered a single employer.
18 (6) “Proprietary private security officer” means an unarmed
19 individual who is employed exclusively by any one employer
20 whose primary duty is to provide security services for his or her
21 employer, whose services are not contracted to any other entity or
22 person, and who is not exempt pursuant to Section 7582.2, and
23 who meets both of the following criteria:
24 (A) Is required to wear a distinctive uniform clearly identifying
25 the individual as a security officer.
26 (B) Is likely to interact with the public while performing his or
27 her duties.

(7) “Registrant” means an individual registered with the bureau under this chapter.

(b) This section shall remain in effect only until January 1, 2017, and as of that date is repealed.

SEC. 2. Section 7574.01 is added to the Business and Professions Code, to read:

7574.01. (a) For the purposes of this chapter, the following terms shall have the following meanings:

(1) “Bureau” means the Bureau of Security and Investigative Services.

(2) “Chief” means the Chief of the Bureau of Security and Investigative Services.

(3) “Director” means the Director of Consumer Affairs, unless the context indicates otherwise.

(4) “Person” includes any individual, firm, company, association, organization, partnership, and corporation.

(5) “Proprietary private security employer” means a person who has one or more employees who provide security services for the employer and only for the employer. A person who employs proprietary private security officers pursuant to this chapter at more than one location shall be considered a single employer.

(6) “Proprietary private security officer” means an unarmed individual who is employed exclusively by any one employer whose primary duty is to provide security services for his or her employer, whose services are not contracted to any other entity or person, and who meets either of the following criteria:

(A) Is required to wear a distinctive uniform or marked shirt or jacket clearly identifying the individual as a security officer.

(B) Is likely to interact with the public while providing security services.

~~(8)~~

(7) “Registrant” means an individual registered with the bureau under this chapter.

~~(9)~~

(8) “Security services” are activities by a proprietary private security officer for the protection of persons or property and include, but are not limited to:

(A) Acting to prevent or deter unapproved or unlawful entry.

(B) Acting to prevent or deter criminal acts or disturbances.

1 (C) Acting to prevent or deter unlawful or inappropriate taking
2 of property.

3 (D) Reporting incidents of fire, medical emergency, and
4 hazardous materials, in accordance with the established procedures
5 of the employer and to public safety officials, as appropriate.

6 (E) Reporting incidents of activity that may cause harm to a
7 person or property in accordance with the employer's established
8 procedures and to public safety authorities, as appropriate.

9 (b) This section shall become operative on January 1, 2017.

10 SEC. 3. Section 7574.11 of the Business and Professions Code
11 is amended to read:

12 7574.11. (a) An applicant seeking registration as a proprietary
13 private security officer shall apply to the department on forms
14 provided by the department.

15 (b) An application for registration as a proprietary private
16 security officer shall include, but not be limited to, the following:

17 (1) Submission of fingerprints for submission to the Department
18 of Justice.

19 (A) The department shall submit to the Department of Justice
20 fingerprint images and related information required by the
21 Department of Justice for all proprietary private security officer
22 registration applicants, as defined by Section 7574.01, for the
23 purposes of obtaining information as to the existence and content
24 of a record of state or federal convictions and state or federal arrests
25 and also information as to the existence and content of a record of
26 state or federal arrests for which the Department of Justice
27 establishes that the person is free on bail or on his or her own
28 recognizance pending trial or appeal.

29 (B) When received, the Department of Justice shall forward to
30 the Federal Bureau of Investigation requests for federal summary
31 criminal history information received pursuant to this section. The
32 Department of Justice shall review the information returned from
33 the Federal Bureau of Investigation and compile and disseminate
34 a response to the department.

35 (C) The Department of Justice shall provide a state and federal
36 level response to the department pursuant to paragraph (1) of
37 subdivision (p) of Section 11105 of the Penal Code.

38 (D) The department shall request from the Department of Justice
39 subsequent arrest notification service, as provided pursuant to

1 Section 11105.2 of the Penal Code, for persons described in
2 subdivision (a).

3 (E) The Department of Justice shall charge a fee sufficient to
4 cover the cost of processing the request described in this section.

5 (2) A fee of fifty dollars (\$50).

6 (c) Upon approval of an application for registration as a
7 proprietary private security officer by the director, the chief shall
8 cause to be issued to the applicant a registration card in a form
9 approved by the director. A registration card shall be valid for two
10 years from the date of issue.

11 (d) A person may work as a proprietary private security officer
12 pending receipt of the registration card if he or she has been
13 approved by the director and carries on his or her person a hard
14 copy printout of the bureau's approval from the bureau's Internet
15 Web site and either a valid driver's license issued pursuant to
16 Section 12811 of the Vehicle Code or a valid identification card
17 issued pursuant to Section 13000 of the Vehicle Code.

18 (e) In the event of the loss or destruction of a registration card,
19 the registrant may apply to the bureau on a form provided by the
20 bureau for a certified replacement of the card, stating the
21 circumstances surrounding the loss, and pay a replacement fee of
22 ten dollars (\$10), whereupon the bureau shall issue a replacement
23 of the card.

24 (f) A registered proprietary private security officer shall apply
25 for renewal biennially with the department on forms provided by
26 the department. The department shall charge a renewal fee of
27 thirty-five dollars (\$35).

28 SEC. 4. Section 7574.14 of the Business and Professions Code
29 is amended to read:

30 7574.14. (a) This chapter shall not apply to the following:

31 (1) An officer or employee of the United States of America, or
32 of this state or a political subdivision thereof, while the officer or
33 employee is engaged in the performance of his or her official
34 duties, including uniformed peace officers employed part time by
35 a public agency pursuant to a written agreement between a chief
36 of police or sheriff and the public agency, provided the part-time
37 employment does not exceed 50 hours in a calendar month.

38 (2) A person engaged exclusively in the business of obtaining
39 and furnishing information as to the financial rating of persons.

1 (3) A charitable philanthropic society or association incorporated
2 under the laws of this state that is organized and duly maintained
3 for the public good and not for private profit.

4 (4) Patrol special police officers appointed by the police
5 commission of a city, county, or city and county under the express
6 terms of its charter who also under the express terms of the charter
7 (1) are subject to suspension or dismissal after a hearing on charges
8 duly filed with the commission after a fair and impartial trial, (2)
9 must be not less than 18 years of age nor more than 40 years of
10 age, (3) must possess physical qualifications prescribed by the
11 commission, and (4) are designated by the police commission as
12 the owners of a certain beat or territory as may be fixed from time
13 to time by the police commission.

14 (5) An attorney at law in performing his or her duties as an
15 attorney at law.

16 (6) A collection agency or an employee thereof while acting
17 within the scope of his or her employment, while making an
18 investigation incidental to the business of the agency, including
19 an investigation of the location of a debtor or his or her property
20 where the contract with an assignor creditor is for the collection
21 of claims owed or due or asserted to be owed or due or the
22 equivalent thereof.

23 (7) Admitted insurers and agents and insurance brokers licensed
24 by the state, performing duties in connection with insurance
25 transacted by them.

26 (8) A bank subject to the jurisdiction of the Commissioner of
27 Financial Institutions of the State of California under Division 1
28 (commencing with Section 99) of the Financial Code or the
29 Comptroller of Currency of the United States.

30 (9) A person engaged solely in the business of securing
31 information about persons or property from public records.

32 (10) A peace officer of this state or a political subdivision
33 thereof while the peace officer is employed by a private employer
34 to engage in off-duty employment in accordance with Section 1126
35 of the Government Code. However, nothing herein shall exempt
36 such a peace officer who either contracts for his or her services or
37 the services of others as a private patrol operator or contracts for
38 his or her services as or is employed as an armed private security
39 officer. For purposes of this subdivision, "armed security officer"

1 means an individual who carries or uses a firearm in the course
2 and scope of that contract or employment.

3 (11) A retired peace officer of the state or political subdivision
4 thereof when the retired peace officer is employed by a private
5 employer in employment approved by the chief law enforcement
6 officer of the jurisdiction where the employment takes place,
7 provided that the retired officer is in a uniform of a public law
8 enforcement agency, has registered with the bureau on a form
9 approved by the director, and has met any training requirements
10 or their equivalent as established for security personnel under
11 Section 7583.5. This officer may not carry an unloaded and
12 exposed handgun unless he or she is exempted under the provisions
13 of Article 2 (commencing with Section 26361) of Chapter 6 of
14 Division 5 of Title 4 of Part 6 of the Penal Code, may not carry
15 an unloaded firearm that is not a handgun unless he or she is
16 exempted under the provisions of Article 2 (commencing with
17 Section 26405) of Chapter 7 of Division 5 of Title 4 of Part 6 of
18 the Penal Code, and may not carry a loaded or concealed firearm
19 unless he or she is exempted under the provisions of Sections
20 25450 to 25475, inclusive, of the Penal Code or Sections 25900
21 to 25910, inclusive, of the Penal Code or has met the requirements
22 set forth in subdivision (d) of Section 26030 of the Penal Code.
23 However, nothing herein shall exempt the retired peace officer
24 who contracts for his or her services or the services of others as a
25 private patrol operator.

26 (12) A licensed insurance adjuster in performing his or her duties
27 within the scope of his or her license as an insurance adjuster.

28 (13) A savings association subject to the jurisdiction of the
29 Commissioner of Financial Institutions or the Office of Thrift
30 Supervision.

31 (14) A secured creditor engaged in the repossession of the
32 creditor's collateral and a lessor engaged in the repossession of
33 leased property in which it claims an interest.

34 (15) A peace officer in his or her official police uniform acting
35 in accordance with subdivisions (c) and (d) of Section 70 of the
36 Penal Code.

37 (16) An unarmed, uniformed security person employed
38 exclusively and regularly by a motion picture studio facility
39 employer who does not provide contract security services for other
40 entities or persons in connection with the affairs of that employer

1 only and where there exists an employer-employee relationship if
2 that person at no time carries or uses a deadly weapon, as defined
3 in subdivision (a) of Section 7582.2, in the performance of his or
4 her duties, which may include, but are not limited to, the following
5 business purposes:

6 (A) The screening and monitoring access of employees of the
7 same employer.

8 (B) The screening and monitoring access of prearranged and
9 preauthorized invited guests.

10 (C) The screening and monitoring of vendors and suppliers.

11 (D) Patrolling the private property facilities for the safety and
12 welfare of all who have been legitimately authorized to have access
13 to the facility.

14 (17) An armored contract carrier operating armored vehicles
15 pursuant to the authority of the Department of the California
16 Highway Patrol or the Public Utilities Commission, or an armored
17 vehicle guard employed by an armored contract carrier.

18 (b) This section shall remain in effect only until January 1, 2017,
19 and as of that date is repealed.

20 SEC. 5. Section 7574.14 is added to the Business and
21 Professions Code, to read:

22 7574.14. (a) This chapter shall not apply to the following:

23 (1) An officer or employee of the United States of America, or
24 of this state or a political subdivision thereof, while the officer or
25 employee is engaged in the performance of his or her official
26 duties, including uniformed peace officers employed part time by
27 a public agency pursuant to a written agreement between a chief
28 of police or sheriff and the public agency, provided the part-time
29 employment does not exceed 50 hours in a calendar month.

30 (2) A person engaged exclusively in the business of obtaining
31 and furnishing information as to the financial rating of persons.

32 (3) A charitable philanthropic society or association incorporated
33 under the laws of this state that is organized and duly maintained
34 for the public good and not for private profit.

35 (4) Patrol special police officers appointed by the police
36 commission of a city, county, or city and county under the express
37 terms of its charter who also under the express terms of the charter
38 (A) are subject to suspension or dismissal after a hearing on charges
39 duly filed with the commission after a fair and impartial trial, (B)
40 must be not less than 18 years of age nor more than 40 years of

1 age, (C) must possess physical qualifications prescribed by the
2 commission, and (D) are designated by the police commission as
3 the owners of a certain beat or territory as may be fixed from time
4 to time by the police commission.

5 (5) An attorney at law in performing his or her duties as an
6 attorney at law.

7 (6) A collection agency or an employee thereof while acting
8 within the scope of his or her employment, while making an
9 investigation incidental to the business of the agency, including
10 an investigation of the location of a debtor or his or her property
11 where the contract with an assignor creditor is for the collection
12 of claims owed or due or asserted to be owed or due or the
13 equivalent thereof.

14 (7) Admitted insurers and agents and insurance brokers licensed
15 by the state, performing duties in connection with insurance
16 transacted by them.

17 (8) A bank subject to the jurisdiction of the Commissioner of
18 Financial Institutions of the State of California under Division 1
19 (commencing with Section 99) of the Financial Code or the
20 Comptroller of Currency of the United States.

21 (9) A person engaged solely in the business of securing
22 information about persons or property from public records.

23 (10) A peace officer of this state or a political subdivision
24 thereof while the peace officer is employed by a private employer
25 to engage in off-duty employment in accordance with Section 1126
26 of the Government Code. However, nothing herein shall exempt
27 such a peace officer who either contracts for his or her services or
28 the services of others as a private patrol operator or contracts for
29 his or her services as or is employed as an armed private security
30 officer. For purposes of this subdivision, "armed security officer"
31 means an individual who carries or uses a firearm in the course
32 and scope of that contract or employment.

33 (11) A retired peace officer of the state or political subdivision
34 thereof when the retired peace officer is employed by a private
35 employer in employment approved by the chief law enforcement
36 officer of the jurisdiction where the employment takes place,
37 provided that the retired officer is in a uniform of a public law
38 enforcement agency, has registered with the bureau on a form
39 approved by the director, and has met any training requirements
40 or their equivalent as established for security personnel under

1 Section 7583.5. This officer may not carry an unloaded and
2 exposed handgun unless he or she is exempted under the provisions
3 of Article 2 (commencing with Section 26361) of Chapter 6 of
4 Division 5 of Title 4 of Part 6 of the Penal Code, may not carry
5 an unloaded firearm that is not a handgun unless he or she is
6 exempted under the provisions of Article 2 (commencing with
7 Section 26405) of Chapter 7 of Division 5 of Title 4 of Part 6 of
8 the Penal Code, and may not carry a loaded or concealed firearm
9 unless he or she is exempted under the provisions of Sections
10 25450 to 25475, inclusive, of the Penal Code or Sections 25900
11 to 25910, inclusive, of the Penal Code or has met the requirements
12 set forth in subdivision (d) of Section 26030 of the Penal Code.
13 However, nothing herein shall exempt the retired peace officer
14 who contracts for his or her services or the services of others as a
15 private patrol operator.

16 (12) A licensed insurance adjuster in performing his or her duties
17 within the scope of his or her license as an insurance adjuster.

18 (13) A savings association subject to the jurisdiction of the
19 Commissioner of Financial Institutions or the Office of Thrift
20 Supervision.

21 (14) A secured creditor engaged in the repossession of the
22 creditor's collateral and a lessor engaged in the repossession of
23 leased property in which it claims an interest.

24 (15) A peace officer in his or her official police uniform acting
25 in accordance with subdivisions (c) and (d) of Section 70 of the
26 Penal Code.

27 (16) An unarmed, uniformed security person employed
28 exclusively and regularly by a motion picture studio facility
29 employer who does not provide contract security services for other
30 entities or persons in connection with the affairs of that employer
31 only and where there exists an employer-employee relationship if
32 that person at no time carries or uses a deadly weapon, as defined
33 in subdivision (a) of Section 7582.2, in the performance of his or
34 her duties, which may include, but are not limited to, the following
35 business purposes:

36 (A) The screening and monitoring access of employees of the
37 same employer.

38 (B) The screening and monitoring access of prearranged and
39 preauthorized invited guests.

40 (C) The screening and monitoring of vendors and suppliers.

1 (D) Patrolling the private property facilities for the safety and
2 welfare of all who have been legitimately authorized to have access
3 to the facility.

4 (17) An armored contract carrier operating armored vehicles
5 pursuant to the authority of the Department of the California
6 Highway Patrol or the Public Utilities Commission, or an armored
7 vehicle guard employed by an armored contract carrier.

8 (18) An ~~unarmed, plain-clothed~~ *unarmed person who is*
9 *employed by a* ~~retail~~ *retailer of merchandise at a retail*
10 *merchandise store to exclusively report or prevent theft from the*
11 ~~retail store.~~ *store and who wears plain clothes or clothes with only*
12 *the logo or business name of the retailer of merchandise.*

13 (19) *An employee at an entertainment or sports venue, including,*
14 *but not limited to, a theme or amusement park, and a theatrical*
15 *screening, whose primary duties consist of screening guests and*
16 *their personal items before venue entry, checking admission tickets,*
17 *directing guests, or any combination of these duties, and seeking*
18 *assistance from law enforcement or security personnel when that*
19 *would be the ordinary and customary response of an employee in*
20 *the event of an unapproved or unlawful entry or criminal act or*
21 *disturbance.*

22 (b) This section shall become operative on January 1, 2017.

23 SEC. 6. Section 201.3 of the Labor Code is amended to read:

24 201.3. (a) For purposes of this section, the following
25 definitions apply:

26 (1) “Temporary services employer” means an employing unit
27 that contracts with clients or customers to supply workers to
28 perform services for the clients or customers and that performs all
29 of the following functions:

30 (A) Negotiates with clients and customers for matters such as
31 the time and place where the services are to be provided, the type
32 of work, the working conditions, and the quality and price of the
33 services.

34 (B) Determines assignments or reassignments of workers, even
35 if workers retain the right to refuse specific assignments.

36 (C) Retains the authority to assign or reassign a worker to
37 another client or customer when the worker is determined
38 unacceptable by a specific client or customer.

39 (D) Assigns or reassigns workers to perform services for clients
40 or customers.

1 (E) Sets the rate of pay of workers, whether or not through
2 negotiation.

3 (F) Pays workers from its own account or accounts.

4 (G) Retains the right to hire and terminate workers.

5 (2) "Temporary services employer" does not include any of the
6 following:

7 (A) A bona fide nonprofit organization that provides temporary
8 service employees to clients.

9 (B) A farm labor contractor, as defined in subdivision (b) of
10 Section 1682.

11 (C) A garment manufacturing employer, which, for purposes
12 of this section, has the same meaning as "contractor," as defined
13 in subdivision (d) of Section 2671.

14 (3) "Employing unit" has the same meaning as defined in
15 Section 135 of the Unemployment Insurance Code.

16 (4) "Client" and "customer" means the person with whom a
17 temporary services employer has a contractual relationship to
18 provide the services of one or more individuals employed by the
19 temporary services employer.

20 (b) (1) (A) Except as provided in paragraphs (2) to (5),
21 inclusive, if an employee of a temporary services employer is
22 assigned to work for a client, that employee's wages are due and
23 payable no less frequently than weekly, regardless of when the
24 assignment ends, and wages for work performed during any
25 calendar week shall be due and payable not later than the regular
26 payday of the following calendar week. A temporary services
27 employer shall be deemed to have timely paid wages upon
28 completion of an assignment if wages are paid in compliance with
29 this subdivision.

30 (B) Except as provided in paragraphs (2) to (5), inclusive, if an
31 employee of a temporary services employer in the security services
32 industry is a security officer who is ~~licensed~~ *registered* pursuant
33 to Chapter 11.5 (commencing with Section 7580) of Division 3 of
34 the Business and Professions Code, is employed by a private patrol
35 operator licensed pursuant to that chapter, and is assigned to work
36 for a client, that employee's wages are due and payable no less
37 frequently than weekly, regardless of when the assignment ends,
38 and wages for work performed during any workweek, as defined
39 under Section 500, shall be due and payable not later than the
40 regular payday of the following workweek.

(2) If an employee of a temporary services employer is assigned to work for a client on a day-to-day basis, that employee's wages are due and payable at the end of each day, regardless of when the assignment ends, if each of the following occurs:

(A) The employee reports to or assembles at the office of the temporary services employer or other location.

(B) The employee is dispatched to a client's worksite each day and returns to or reports to the office of the temporary services employer or other location upon completion of the assignment.

(C) The employee's work is not executive, administrative, or professional, as defined in the wage orders of the Industrial Welfare Commission, and is not clerical.

(3) If an employee of a temporary services employer is assigned to work for a client engaged in a trade dispute, that employee's wages are due and payable at the end of each day, regardless of when the assignment ends.

(4) If an employee of a temporary services employer is assigned to work for a client and is discharged by the temporary services employer or leasing employer, wages are due and payable as provided in Section 201.

(5) If an employee of a temporary services employer is assigned to work for a client and quits his or her employment with the temporary services employer, wages are due and payable as provided in Section 202.

(6) If an employee of a temporary services employer is assigned to work for a client for over 90 consecutive calendar days, this section shall not apply unless the temporary services employer pays the employee weekly in compliance with paragraph (1) of subdivision (b).

(c) A temporary services employer who violates this section shall be subject to the civil penalties provided for in Section 203, and to any other penalties available at law.

(d) Nothing in this section shall be interpreted to limit any rights or remedies otherwise available under state or federal law.

SEC. 7. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of

- 1 the Government Code, or changes the definition of a crime within
- 2 the meaning of Section 6 of Article XIII B of the California
- 3 Constitution.

O