

Senate Bill No. 242

CHAPTER 79

An act to add Section 38004.5 to the Education Code, relating to school security.

[Approved by Governor July 13, 2015. Filed with
Secretary of State July 13, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

SB 242, Monning. School security: surplus military equipment.

Existing law authorizes the governing board of a school district to establish a security department under the supervision of a chief of security, or a police department under the supervision of a school chief of police.

The Federal Surplus Property Acquisition Law of 1945 authorizes a local agency, as defined, to acquire surplus federal property without regard to any law which requires posting of notices or advertising for bids, inviting or receiving bids, delivery of purchases before payment, or prevents the local agency from bidding on federal surplus property. Existing federal law authorizes the Department of Defense to transfer surplus personal property, including arms and ammunition, to federal or state agencies for use in law enforcement activities, subject to specified conditions, at no cost to the acquiring agency.

This bill would require the governing board of a school district that has established a school police department to prohibit that school police department from receiving surplus military equipment pursuant to the above-described federal law unless specified conditions are satisfied.

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

SECTION 1. Section 38004.5 is added to the Education Code, to read:

38004.5. The governing board of a school district that establishes a school police department shall not permit the school police department to receive surplus military equipment pursuant to Section 2576a of Title 10 of the United States Code, unless the governing board of the school district does all of the following:

(a) Votes to approve the acquisition of surplus military equipment at a regularly scheduled public board meeting.

(b) Provides parents or guardians of pupils, and other members of the public, a chance to comment at a regularly scheduled public board meeting on the proposed acquisition of surplus military equipment, and, clearly and in a manner recognizable to the general public, identify in the agenda the topic to be discussed at the meeting.

- (c) Provides a detailed description of the function and purpose of the surplus military equipment to be received.
- (d) Identifies safe and secure storage for surplus military equipment to be received by a school police department.
- (e) Ensures that peace officers employed by a school police department possess adequate training in the safe use and handling of the surplus military equipment to be received.