

**Introduced by Senator Pan**

February 25, 2015

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An act to amend Section 633 of the Penal Code, relating to law enforcement.

LEGISLATIVE COUNSEL'S DIGEST

SB 424, as introduced, Pan. Law enforcement: communications.

Existing law establishes various prohibitions against eavesdropping and recording or intercepting certain communications. A violation of these prohibitions is a crime. Existing law provides that specified law enforcement officers are not prohibited by those provisions from overhearing or recording any communication that they could lawfully overhear or record prior to the January 1, 1968, effective date of those prohibitions.

This bill would include any POST-certified chief of police, assistant chief of police, or police officer of a university or college campus in the list of law enforcement officers to whom the prohibitions described above do not apply.

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

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

- 1 SECTION 1. Section 633 of the Penal Code is amended to  
2 read:  
3 633. (a) Nothing in Section 631, 632, 632.5, 632.6, or 632.7  
4 prohibits the Attorney General, any district attorney, or any  
5 assistant, deputy, or investigator of the Attorney General or any  
6 district attorney, any officer of the California Highway Patrol, any

1 chief of police, assistant chief of police, or police officer of a city  
2 or city and county, any sheriff, undersheriff, or deputy sheriff  
3 regularly employed and paid in that capacity by a county, police  
4 officer of the County of Los Angeles, *any POST-certified chief of*  
5 *police, assistant chief of police, or police officer of a university or*  
6 *college campus*, or any person acting pursuant to the direction of  
7 one of these law enforcement officers acting within the scope of  
8 his or her authority, from overhearing or recording any  
9 communication that they could lawfully overhear or record prior  
10 to ~~the effective date of this chapter.~~ *January 1, 1968.*

11 ~~Nothing~~  
12 *(b) Nothing* in Section 631, 632, 632.5, 632.6, or 632.7 renders  
13 inadmissible any evidence obtained by the ~~above-named~~ persons  
14 *specified in subdivision (a)* by means of overhearing or recording  
15 any communication that they could lawfully overhear or record  
16 prior to ~~the effective date of this chapter.~~ *January 1, 1968.*