

AMENDED IN ASSEMBLY AUGUST 19, 2016

AMENDED IN ASSEMBLY MAY 19, 2016

SENATE BILL

No. 872

Introduced by Senator Hall

January 14, 2016

An act to amend Section 53069.8 of the Government Code, relating to local law enforcement.

LEGISLATIVE COUNSEL'S DIGEST

SB 872, as amended, Hall. Local law enforcement: supplemental services.

Existing law authorizes the county board of supervisors on behalf of the sheriff, and the legislative body of any city on behalf of the chief of police, to contract to provide supplemental law enforcement services to private individuals, private entities, and private corporations in specified circumstances and subject to certain conditions. Among those conditions are that the services shall be rendered by regularly appointed full-time peace officers, as defined, and that, prior to contracting for ongoing services to private corporations or private entities, the board of supervisors or legislative body, as applicable, shall discuss the contract and the legal requirements of those contracts at a duly noticed public hearing.

This bill would extend that authorization with respect to providing supplemental law enforcement services to private schools, private colleges, or private universities on an occasional or ongoing basis. The bill would authorize these services to be rendered by any category of peace officer, as specified. The bill would require, prior to contracting for these ongoing services to be provided to a private school, private college, or private university, the board of supervisors or legislative

body, as applicable, to discuss the contract and the legal requirements of those contracts at a duly noticed public hearing. The bill would specify that certain public university and college police departments certified by the Commission on Peace Officer ~~and~~ Standards *and* Training are not prevented from entering into agreements with private schools, private colleges, or private universities to provide law enforcement services.

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 53069.8 of the Government Code is
2 amended to read:
3 53069.8. (a) The board of supervisors of any county may
4 contract on behalf of the sheriff of that county, and the legislative
5 body of any city may contract on behalf of the chief of police of
6 that city, to provide supplemental law enforcement services to:
7 (1) Private individuals or private entities to preserve the peace
8 at special events or occurrences that happen on an occasional basis.
9 (2) Private nonprofit corporations that are recipients of federal,
10 state, county, or local government low-income housing funds or
11 grants to preserve the peace on an ongoing basis.
12 (3) Private entities at critical facilities on an occasional or
13 ongoing basis. A “critical facility” means any building, structure,
14 or complex that in the event of a disaster, whether natural or
15 manmade, poses a threat to public safety, including, but not limited
16 to, airports, oil refineries, and nuclear and conventional fuel
17 powerplants.
18 (4) Private schools, private colleges, or private universities on
19 an occasional or ongoing basis.
20 (b) Contracts entered into pursuant to this section shall provide
21 for full reimbursement to the county or city of the actual costs of
22 providing those services, as determined by the county auditor or
23 auditor-controller, or by the city, as the case may be.
24 (c) (1) The services provided pursuant to a contract authorized
25 pursuant to paragraphs (1), (2), and (3) of subdivision (a) shall be
26 rendered by regularly appointed full-time peace officers, as defined
27 in Section 830.1 of the Penal Code. For purposes of a contract
28 authorized pursuant to paragraph (4) of subdivision (a), services

1 may be rendered by any category of peace officer including reserve
2 ~~peace officers~~ *officers*, as defined in paragraph (2) of subdivision
3 (a) of Section 830.6 of the Penal Code, who are authorized to
4 exercise the powers of a peace officer, as defined in Section 830.1
5 of the Penal Code, upon mutual agreement between the provider
6 and the private school, private college, or private university.

7 (2) Notwithstanding paragraph (1), services provided in
8 connection with special events or occurrences, as specified in
9 paragraph (1) of subdivision (a), may be rendered by Level I
10 reserve peace officers, as defined in paragraph (2) of subdivision
11 (a) of Section 830.6 of the Penal Code, who are authorized to
12 exercise the powers of a peace officer, as defined in Section 830.1
13 of the Penal Code, if there are no regularly appointed full-time
14 peace officers available to fill the positions as required in the
15 contract.

16 (d) Peace officer rates of pay shall be governed by a
17 memorandum of understanding.

18 (e) A contract entered into pursuant to this section shall
19 encompass only law enforcement duties and not services authorized
20 to be provided by a private patrol operator, as defined in Section
21 7582.1 of the Business and Professions Code.

22 (f) Contracting for law enforcement services, as authorized by
23 this section, shall not reduce the normal and regular ongoing
24 service that the county, agency of the county, or city otherwise
25 would provide.

26 (g) Prior to contracting for ongoing services under paragraph
27 (2), (3), or (4) of subdivision (a), the board of supervisors or
28 legislative body, as applicable, shall discuss the contract and the
29 requirements of this section at a duly noticed public hearing.

30 (h) Nothing in this section shall prevent a police department
31 appointed pursuant to either Section ~~89560~~ ~~of, or Section 92600~~
32 ~~of, 72330, 89560, or 92600~~ of the Education ~~Code Code~~, and
33 certified by the Commission on Peace Officer ~~and~~ Standards *and*
34 Training pursuant to Section 13551 of the Penal ~~Code Code~~, from
35 entering into agreements with private schools, private colleges, or
36 private universities to provide law enforcement services.

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