

Introduced by Senator Morrell

February 19, 2016

An act to amend Section 830.37 of the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

SB 1447, as introduced, Morrell. Peace officers.

Existing law establishes which persons are included and excluded within the definition of peace officers. Existing law provides that specified fire department, fire protection agency, and military personnel are peace officers.

This bill would make a technical, nonsubstantive change to that provision.

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 830.37 of the Penal Code is amended to
2 read:
3 830.37. The following persons are peace officers whose
4 authority extends to any place in the state for the purpose of
5 performing their primary duty or when making an arrest pursuant
6 to Section 836 as to any public offense with respect to which there
7 is immediate danger to person or property, or of the escape of the
8 perpetrator of that offense, or pursuant to Section 8597 or 8598 of
9 the Government Code. These peace officers may carry firearms
10 only if authorized and under terms and conditions specified by
11 their employing agency:

1 (a) Members of an arson-investigating unit, regularly paid and
2 employed in that capacity, of a fire department or fire protection
3 agency of a county, city, city and county, district, or the state, if
4 the primary duty of these peace officers is the detection and
5 apprehension of persons who have violated any fire law or
6 committed insurance fraud.

7 (b) Members other than members of an arson-investigating unit,
8 regularly paid and employed in that capacity, of a fire department
9 or fire protection agency of a county, city, city and county, district,
10 or the state, if the primary duty of these peace officers, when acting
11 in that capacity, is the enforcement of laws relating to fire
12 prevention or fire suppression.

13 (c) Voluntary fire wardens as are designated by the Director of
14 Forestry and Fire Protection pursuant to Section 4156 of the Public
15 Resources Code, provided that the primary duty of these peace
16 officers shall be the enforcement of the law as that duty is set forth
17 in Section 4156 of the Public Resources Code.

18 (d) Firefighter/security guards *employed* by the Military
19 Department, if the primary duty of the peace officer is the
20 enforcement of the law in or about properties owned, operated, or
21 administered by the employing agency or when performing
22 necessary duties with respect to patrons, employees, and properties
23 of the employing agency.