

AMENDED IN SENATE AUGUST 21, 1995

AMENDED IN SENATE JULY 20, 1995

AMENDED IN SENATE JULY 3, 1995

AMENDED IN ASSEMBLY MAY 16, 1995

AMENDED IN ASSEMBLY MAY 1, 1995

CALIFORNIA LEGISLATURE—1995–96 REGULAR SESSION

ASSEMBLY BILL

No. 1571

Introduced by Assembly Member Caldera

February 24, 1995

An act to amend Section 607f of the Civil Code, and to amend Section 11105 of the Penal Code, relating to humane officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1571, as amended, Caldera. Humane societies.

Existing law provides for, and regulates, humane societies incorporated for the prevention of cruelty to animals. These provisions provide for the appointment of members of those societies as humane officers and authorizes those persons to have specified powers, including the power to arrest and the power to carry weapons.

This bill would provide that, on and after July 1, 1996, ~~no entity, other than a humane society or society for the prevention of cruelty to animals, shall be eligible to apply for or receive an appointment of any individual as a level 1 or level 2 humane officer, the duty of which shall be the~~

~~enforcement of the laws for the prevention of cruelty to animals only a person who meets specified requirements may be appointed as, or perform the duties of, a humane officer. The bill would also provide that any person appointed as a humane officer prior to July 1, 1996, may continue to serve as a humane officer until the expiration of the term of appointment only if the appointing agency maintains records documenting that both the appointing agency and the humane officer meet specified requirements.~~

This bill would prescribe qualifications for both the appointing society and the appointed individual in order to lawfully appoint a humane officer. The bill would provide for a level 1 humane officer and a level 2 humane officer who may exercise the powers of a peace officer at all places within the state in order to prevent the perpetration of any act of cruelty upon any animal, and who may use necessary force, make arrests, and serve search warrants, as specified. A level 1 humane officer would be authorized, upon satisfactory completion of specified training, including the basic ~~or reserve training for a level I training reserve officer~~ by the Commission on Peace Officer Standards and Training, to carry firearms, as specified, and a level 2 humane officer would not be authorized to carry firearms.

Additionally, this bill would make it a misdemeanor for any humane society, society for the prevention of cruelty to animals, or person to knowingly provide a court with false or forged documentation for the appointment of a humane officer. The bill would impose a state-mandated local program by creating a new crime.

This bill would provide that persons appointed as a humane officer are not peace officers but may exercise the powers of arrest of a peace officer during the course and within the scope of their employment, if they successfully complete a course in the exercise of those powers.

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 607f of the Civil Code is
2 amended to read:

3 ~~607f. (a) (1) (A) On and after July 1, 1996, no entity,~~
4 ~~other than a humane society or society for the prevention~~
5 ~~of cruelty to animals, shall be eligible to apply for or~~
6 ~~receive an appointment of any individual as a level 1 or~~
7 ~~level 2 humane officer, the duty of which shall be the~~
8 ~~enforcement of the laws for the prevention of cruelty to~~
9 ~~animals.~~

10 *607f. (a) (1) (A) (i) On and after July 1, 1996, only*
11 *a person who meets the requirements of this section may*
12 *be appointed as, or perform the duties of, a humane*
13 *officer.*

14 *(ii) Any person appointed as a humane officer prior to*
15 *July 1, 1996, may continue to serve as a humane officer*
16 *until the expiration of the term of appointment only if the*
17 *appointing agency maintains records pursuant to*
18 *subparagraph (C) documenting that both the appointing*
19 *agency and the humane officer meet the requirements of*
20 *this section.*

21 (B) Each humane society or society for the prevention
22 of cruelty to animals that makes application to the court
23 for the appointment of an individual to act as a level 1 or
24 level 2 humane officer for the humane society or society
25 for the prevention of cruelty to animals shall provide with
26 the application documentation that demonstrates that
27 the person has satisfactorily completed the training
28 requirements set forth in subdivision (i).

29 (C) Each humane society or society for the prevention
30 of cruelty to animals for which an individual is acting as
31 a level 1 or level 2 humane officer shall maintain complete
32 and accurate records documenting that the individual has
33 successfully completed all requirements established in
34 this section and shall make those records available, upon
35 request, to the superior court, the Attorney General, or



1 any entity duly authorized to review that information,
2 including the State Humane Association of California.
3 The records shall include the full name and address of
4 each level 1 or level 2 humane officer.

5 (2) Any corporation incorporated for the purpose of
6 the prevention of cruelty to animals that possesses
7 insurance of at least one million dollars (\$1,000,000) for
8 liability for bodily injury or property damage may, six
9 months after the date of its incorporation and by
10 resolution of its board of directors or trustees duly entered
11 on its minutes, appoint any number of persons, who shall
12 be citizens of the State of California, as humane officers,
13 provided that the individuals to be appointed have met
14 the training guidelines set forth in subdivision (i).

15 (3) Each appointment of a humane officer shall be by
16 separate resolution. The resolution shall state the full
17 name and address of the appointing agency, the full name
18 of the person so appointed, and the fact that he or she is
19 a citizen of the State of California, and shall also designate
20 the number of the badge to be allotted to the officer.

21 (b) The humane society or society for the prevention
22 of cruelty to animals shall recommend any appointee to
23 the judge of the superior court in and for the county or
24 city and county in which the humane society is
25 incorporated, and shall deliver to the judge a copy of the
26 resolution appointing the person, duly certified to be
27 correct by the president and secretary of the corporation
28 and attested by its seal, together with the fingerprints of
29 the appointee taken on standard 8-×8-inch cards, proof
30 of the society's proper incorporation in compliance with
31 Part 9 (commencing with Section 10400) of Division 2 of
32 the Corporations Code, a copy of the society's liability for
33 bodily injury or property damage insurance policy in the
34 amount of at least one million dollars (\$1,000,000), and
35 documentation establishing that the appointee has
36 satisfactorily completed the training requirements set
37 forth in this section.

38 (c) The judge shall send a copy of the resolution,
39 together with the fingerprints of the appointee, to the
40 Department of Justice, which shall thereupon submit to



1 the judge, in writing, a report of the record in its
2 possession, if any, of the appointee. If the Department of
3 Justice has no record of the appointee, it shall so report to
4 the judge in writing.

5 (d) Upon receipt of the report the judge shall review
6 the matter of the appointee's qualifications and fitness to
7 act as a humane officer and, if he or she reaffirms the
8 appointment, shall so state on a court order confirming
9 the appointment. The appointee shall thereupon file a
10 certified copy of the reviewed court order in the office of
11 the county clerk of the county or city and county and
12 shall, at the same time, take and subscribe the oath of
13 office prescribed for constables or other peace officers.

14 (e) The county clerk shall thereupon immediately
15 enter in a book to be kept in his or her office and
16 designated "Record of Humane Officers" the name of the
17 officer, the name of the agency appointing him or her, the
18 number of his or her badge, the name of the judge
19 appointing him or her, and the date of the filing. At the
20 time of the filing the county clerk shall collect from the
21 officer a fee of five dollars (\$5), which shall be in full for
22 all services to be performed by the county clerk under
23 this section.

24 (f) All appointments of humane officers shall
25 automatically expire if the society disbands or legally
26 dissolves. In addition, all appointments of humane
27 officers shall automatically expire within three years from
28 the date on which the certified copy of the court order
29 was filed with the county clerk. Officers whose
30 appointments are about to expire may only be
31 reappointed after satisfactorily completing the
32 continuing education and training set forth in this section.

33 (g) (1) The corporation appointing an officer may
34 revoke an appointment at any time by filing in the office
35 of the county clerk in which the appointment of the
36 officer is recorded a copy of the revocation in writing
37 under the letterhead of the corporation and duly certified
38 by its executive officer. Upon the filing the county clerk
39 shall enter the fact of the revocation and the date of the



1 filing thereof opposite the name of the officer in the
2 record of humane officers.

3 (2) Notwithstanding paragraph (1), a revocation
4 hearing may be initiated by petition from any duly
5 authorized sheriff or local police agency or the State
6 Humane Association of California. The petition shall show
7 cause why an appointment should be revoked and shall
8 be made to the superior court in the jurisdiction of the
9 appointment.

10 (h) The corporation or local humane society
11 appointing the humane officer shall pay the training
12 expenses of the humane officer attending the training
13 required pursuant to this section.

14 (i) (1) (A) A level 1 humane officer is not a peace
15 officer, but may exercise the powers of a peace officer at
16 all places within the state in order to prevent the
17 perpetration of any act of cruelty upon any animal and to
18 that end may summon to his or her aid any bystander. A
19 level 1 humane officer may use reasonable force
20 necessary to prevent the perpetration of any act of
21 cruelty upon any animal.

22 (B) A level 1 humane officer may make arrests for the
23 violation of any penal law of this state relating to or
24 affecting animals in the same manner as any peace officer
25 and may also serve search warrants.

26 (C) A level 1 humane officer is authorized to carry
27 firearms while exercising the duties of a humane officer,
28 upon satisfactory completion of the training specified in
29 subparagraph (D) and the basic ~~or reserve level I training~~
30 *training for a level I reserve officer* by the Commission on
31 Peace Officer Standards and Training pursuant to Section
32 13510.1 of the Penal Code.

33 (D) A level 1 humane officer shall, prior to
34 appointment, provide evidence satisfactory to the
35 appointing agency that he or she has successfully
36 completed courses of training in the following subjects:

37 (i) At least 20 hours of a course of training in animal
38 care sponsored or provided by an accredited
39 postsecondary institution, ~~law enforcement agency, or~~
40 ~~the State Humane Association of California~~, the focus of



1 which shall be the identification of disease, injury, and
2 neglect in domestic animals and livestock.

3 (ii) At least 40 hours of a course of training in the state
4 humane laws relating to the powers and duties of a
5 humane officer sponsored or provided by an accredited
6 postsecondary institution, law enforcement agency, or
7 the State Humane Association of California.

8 (E) No person shall be appointed as a level 1 humane
9 officer until they have satisfied the requirements in
10 Sections 1029, 1030, and 1031 of the Government Code. A
11 humane society or society for the prevention of cruelty to
12 animals shall complete a background investigation, using
13 standards defined by the Commission on Peace Officer
14 Standards and Training as guidelines for all level 1
15 humane officer appointments.

16 (F) In order to be eligible for reappointment, a level
17 1 humane officer shall complete ongoing weapons
18 training and range qualifications at least every six months
19 pursuant to subdivision (s) of Section 830.3 of the Penal
20 Code and shall, every three years, complete 40 hours of
21 continuing education and training relating to the powers
22 and duties of a humane officer, which education and
23 training shall be provided by an accredited
24 postsecondary institution, law enforcement agency, or
25 the State Humane Association of California.

26 (G) (i) Notwithstanding any other provision of this
27 section, a level 1 humane officer may carry firearms only
28 if authorized by, and only under the terms and conditions
29 specified by, his or her appointing agency.

30 (ii) Notwithstanding any other provision of this
31 section, a level 1 humane officer shall not be authorized
32 to carry firearms unless and until his or her appointing
33 agency has adopted a policy on the use of deadly force by
34 its officers and the officer has been instructed in that
35 policy.

36 (2) (A) A level 2 humane officer is not a peace officer,
37 but may exercise the powers of a peace officer at all places
38 within the state in order to prevent the perpetration of
39 any act of cruelty upon any animal and to that end may
40 summon to his or her aid any bystander. A level 2 humane



1 officer may use reasonable force necessary to prevent the
2 perpetration of any act of cruelty upon any animal.

3 (B) A level 2 humane officer may make arrests for the
4 violation of any penal law of this state relating to or
5 affecting animals in the same manner as any peace officer
6 and may serve search warrants during the course and
7 within the scope of employment, upon the successful
8 completion of a course relating to the exercise of the
9 police powers specified in Section 832 of the Penal Code,
10 except the power to carry and use firearms.

11 (C) A level 2 humane officer is not authorized to carry
12 firearms.

13 (D) A level 2 humane officer shall, prior to
14 appointment, provide evidence satisfactory to the
15 appointing agency that he or she has successfully
16 completed courses of training in the following subjects:

17 (i) At least 20 hours of a course of training in animal
18 care sponsored or provided by an accredited
19 postsecondary institution, ~~law enforcement agency, or~~
20 ~~the State Humane Association of California~~, the focus of
21 which is the identification of disease, injury, and neglect
22 in domestic animals and livestock.

23 (ii) At least 40 hours of a course of training in the state
24 humane laws relating to the powers and duties of a
25 humane officer, sponsored or provided by an accredited
26 postsecondary institution, law enforcement agency, or
27 the State Humane Association of California.

28 (E) In order to be eligible for reappointment, a level
29 2 humane officer shall, every three years, complete 40
30 hours of continuing education and training relating to the
31 powers and duties of a humane officer, which education
32 and training shall be provided by an accredited
33 postsecondary institution, law enforcement agency, or
34 the State Humane Association of California.

35 (j) Every humane officer shall, when making an arrest,
36 exhibit and expose a suitable badge to be adopted by the
37 corporation under this title of which he or she is a
38 member which shall bear its name and a number.
39 Uniforms worn by humane officers shall ~~include~~
40 *prominently display* the name of the appointing agency



1 ~~on a shoulder patch, and that shoulder patch shall not~~
2 ~~include. Humane officer uniforms shall not display~~ the
3 words “state” or “California,” unless part of the
4 appointing agency’s incorporated name.

5 (k) Any person resisting a humane officer in the
6 performance of his or her duty as provided in this section,
7 is guilty of a misdemeanor. Any person who has not been
8 appointed and qualified as a humane officer as provided
9 in this section, or whose appointment has been revoked
10 as provided in this section, or whose appointment, having
11 expired, has not been renewed as provided in this section,
12 who shall represent himself or herself to be or shall
13 attempt to act as an officer shall be guilty of a
14 misdemeanor.

15 (l) No humane officer shall serve a search warrant
16 without providing prior notice to local law enforcement
17 agencies operating within that jurisdiction.

18 (m) Any humane society, society for the prevention of
19 cruelty to animals, or person, who knowingly provides a
20 court with false or forged documentation for the
21 appointment of a humane officer, is guilty of a
22 misdemeanor and shall be punished by a fine of up to ten
23 thousand dollars (\$10,000).

24 (n) A humane society or a society for the prevention
25 of cruelty to animals shall notify the sheriff of the county
26 in which the society is incorporated, prior to appointing
27 ~~humane officers~~ a humane officer, of the society’s intent
28 to enforce laws for the prevention of cruelty to animals.
29 Humane societies or societies for the prevention of
30 cruelty to animals incorporated and enforcing animal
31 cruelty laws prior to January 1, 1996, that intend to
32 continue to enforce those laws, shall notify the sheriff of
33 the county in which the society is incorporated by March
34 1, 1996.

35 (o) Except as otherwise provided by this section, a
36 humane officer shall serve only in the county in which he
37 or she is appointed. A humane officer may serve
38 temporarily in a county other than that in which he or she
39 is appointed if the humane officer gives notice requesting
40 consent to the sheriff of the county in which he or she



1 intends to serve, and acquires consent from the sheriff of
2 the county in which he or she intends to serve, or from a
3 person authorized by the sheriff to give that consent. A
4 sheriff shall promptly respond to any request by a
5 humane officer to serve in his or her jurisdiction and any
6 request shall not be unreasonably denied.

7 SEC. 2. Section 11105 of the Penal Code is amended
8 to read:

9 11105. (a) (1) The Department of Justice shall
10 maintain state summary criminal history information.

11 (2) As used in this section:

12 (i) "State summary criminal history information"
13 means the master record of information compiled by the
14 Attorney General pertaining to the identification and
15 criminal history of any person, such as name, date of birth,
16 physical description, fingerprints, photographs, date of
17 arrests, arresting agencies and booking numbers, charges,
18 dispositions, and similar data about the person.

19 (ii) "State summary criminal history information"
20 does not refer to records and data compiled by criminal
21 justice agencies other than the Attorney General, nor
22 does it refer to records of complaints to or investigations
23 conducted by, or records of intelligence information or
24 security procedures of, the office of the Attorney General
25 and the Department of Justice.

26 (b) The Attorney General shall furnish state summary
27 criminal history information to any of the following, if
28 needed in the course of their duties, provided that when
29 information is furnished to assist an agency, officer, or
30 official of state or local government, a public utility, or any
31 entity, in fulfilling employment, certification, or licensing
32 duties, Chapter 1321 of the Statutes of 1974 and of Section
33 432.7 of the Labor Code shall apply:

34 (1) The courts of the state.

35 (2) Peace officers of the state as defined in Section
36 830.1, subdivisions (a), (b), and (f) of Section 830.2,
37 subdivision (a) of Section 830.3, subdivisions (a) and (b)
38 of Section 830.5, and subdivision (a) of Section 830.31.

39 (3) District attorneys of the state.



1 (4) Prosecuting city attorneys of any city within the
2 state.

3 (5) Probation officers of the state.

4 (6) Parole officers of the state.

5 (7) A public defender or attorney of record when
6 representing a person in proceedings upon a petition for
7 a certificate of rehabilitation and pardon pursuant to
8 Section 4852.08.

9 (8) A public defender or attorney of record when
10 representing a person in a criminal case and if authorized
11 access by statutory or decisional law.

12 (9) Any agency, officer, or official of the state if the
13 criminal history information is required to implement a
14 statute or regulation that expressly refers to specific
15 criminal conduct applicable to the subject person of the
16 state summary criminal history information, and contains
17 requirements or exclusions, or both, expressly based upon
18 that specified criminal conduct.

19 (10) Any city or county, or city and county, or district,
20 or any officer, or official thereof if access is needed in
21 order to assist that agency, officer, or official in fulfilling
22 employment, certification, or licensing duties, and if the
23 access is specifically authorized by the city council, board
24 of supervisors, or governing board of the city, county, or
25 district if the criminal history information is required to
26 implement a statute, ordinance, or regulation that
27 expressly refers to specific criminal conduct applicable to
28 the subject person of the state summary criminal history
29 information, and contains requirements or exclusions, or
30 both, expressly based upon that specified criminal
31 conduct.

32 (11) The subject of the state summary criminal history
33 information under procedures established under Article
34 5 (commencing with Section 11120), Chapter 1, Title 1 of
35 Part 4.

36 (12) Any person or entity when access is expressly
37 authorized by statute if the criminal history information
38 is required to implement a statute or regulation that
39 expressly refers to specific criminal conduct applicable to
40 the subject person of the state summary criminal history



1 information, and contains requirements or exclusions, or
2 both, expressly based upon that specified criminal
3 conduct.

4 (13) Health officers of a city, county, or city and
5 county, or district, when in the performance of their
6 official duties enforcing Section 3110 of the Health and
7 Safety Code.

8 (14) Any managing or supervising correctional officer
9 of a county jail or other county correctional facility.

10 (15) Any humane society, or society for the prevention
11 of cruelty to animals, for the specific purpose of
12 complying with Section 607f of the Civil Code for the
13 appointment of level 1 humane officers.

14 (c) The Attorney General may furnish state summary
15 criminal history information upon a showing of a
16 compelling need to any of the following, provided that
17 when information is furnished to assist an agency, officer,
18 or official of state or local government, a public utility, or
19 any entity, in fulfilling employment, certification, or
20 licensing duties, Chapter 1321 of the Statutes of 1974 and
21 of Section 432.7 of the Labor Code shall apply:

22 (1) Any public utility as defined in Section 216 of the
23 Public Utilities Code that operates a nuclear energy
24 facility when access is needed in order to assist in
25 employing persons to work at the facility, provided that,
26 if the Attorney General supplies the data, he or she shall
27 furnish a copy of the data to the person to whom the data
28 relates.

29 (2) To a peace officer of the state other than those
30 included in subdivision (b).

31 (3) To a peace officer of another country.

32 (4) To public officers (other than peace officers) of the
33 United States, other states, or possessions or territories of
34 the United States, provided that access to records similar
35 to state summary criminal history information is expressly
36 authorized by a statute of the United States, other states,
37 or possessions or territories of the United States if the
38 information is needed for the performance of their
39 official duties.



1 (5) To any person when disclosure is requested by a
2 probation, parole, or peace officer with the consent of the
3 subject of the state summary criminal history information
4 and for purposes of furthering the rehabilitation of the
5 subject.

6 (6) The courts of the United States, other states or
7 territories or possessions of the United States.

8 (7) Peace officers of the United States, other states, or
9 territories or possessions of the United States.

10 (8) To any individual who is the subject of the record
11 requested if needed in conjunction with an application to
12 enter the United States or any foreign nation.

13 (9) Any public utility as defined in Section 216 of the
14 Public Utilities Code, if access is needed in order to assist
15 in employing current or prospective employees who in
16 the course of their employment may be seeking entrance
17 to private residences. The information provided shall be
18 limited to the record of convictions and any arrest for
19 which the person is released on bail or on his or her own
20 recognizance pending trial.

21 If the Attorney General supplies the data pursuant to
22 this paragraph, the Attorney General shall furnish a copy
23 of the data to the current or prospective employee to
24 whom the data relates.

25 Any information obtained from the state summary
26 criminal history is confidential and the receiving public
27 utility shall not disclose its contents, other than for the
28 purpose for which it was acquired. The state summary
29 criminal history information in the possession of the
30 public utility and all copies made from it shall be
31 destroyed not more than 30 days after employment or
32 promotion or transfer is denied or granted, except for
33 those cases where a current or prospective employee is
34 out on bail or on his or her own recognizance pending
35 trial, in which case the state summary criminal history
36 information and all copies shall be destroyed not more
37 than 30 days after the case is resolved.

38 A violation of this paragraph is a misdemeanor, and
39 shall give the current or prospective employee who is
40 injured by the violation a cause of action against the



1 public utility to recover damages proximately caused by
2 the violations. Any public utility's request for state
3 summary criminal history information for purposes of
4 employing current or prospective employees who may be
5 seeking entrance to private residences in the course of
6 their employment shall be deemed a "compelling need"
7 as required to be shown in this subdivision.

8 Nothing in this section shall be construed as imposing
9 any duty upon public utilities to request state summary
10 criminal history information on any current or
11 prospective employees.

12 (10) To any campus of the California State University
13 or the University of California, or any four-year college or
14 university accredited by a regional accreditation
15 organization approved by the United States Department
16 of Education, if needed in conjunction with an
17 application for admission by a convicted felon to any
18 special education program for convicted felons,
19 including, but not limited to, university alternatives and
20 halfway houses. Only conviction information shall be
21 furnished. The college or university may require the
22 convicted felon to be fingerprinted, and any inquiry to
23 the department under this section shall include the
24 convicted felon's fingerprints and any other information
25 specified by the department.

26 (d) Whenever an authorized request for state
27 summary criminal history information pertains to a
28 person whose fingerprints are on file with the
29 Department of Justice and the department has no
30 criminal history of that person, and the information is to
31 be used for employment, licensing, or certification
32 purposes, the fingerprint card accompanying the request
33 for information, if any, may be stamped "no criminal
34 record" and returned to the person or entity making the
35 request.

36 (e) Whenever state summary criminal history
37 information is furnished as the result of an application and
38 is to be used for employment, licensing, or certification
39 purposes, the Department of Justice may charge the
40 person or entity making the request a fee that it



1 determines to be sufficient to reimburse the department
2 for the cost of furnishing the information. In addition, the
3 Department of Justice may add a surcharge to the fee to
4 fund maintenance and improvements to the systems
5 from which the information is obtained. Notwithstanding
6 any other law, any person or entity required to pay a fee
7 to the department for information received under this
8 section may charge the applicant a fee sufficient to
9 reimburse the person or entity for this expense. All
10 moneys received by the department pursuant to this
11 section, Sections 11105.3 and 12054 of the Penal Code, and
12 Section 13588 of the Education Code shall be deposited in
13 a special account in the General Fund to be available for
14 expenditure by the department to offset costs incurred
15 pursuant to those sections and for maintenance and
16 improvements to the systems from which the information
17 is obtained upon appropriation by the Legislature.

18 (f) Whenever there is a conflict, the processing of
19 criminal fingerprints and fingerprints of applicants for
20 security guard or alarm agent registrations or firearms
21 qualification permits submitted pursuant to Section 7514
22 of the Business and Professions Code shall take priority
23 over the processing of applicant fingerprints.

24 (g) It is not a violation of this section to disseminate
25 statistical or research information obtained from a record,
26 provided that the identity of the subject of the record is
27 not disclosed.

28 (h) It is not a violation of this section to include
29 information obtained from a record in (1) a transcript or
30 record of a judicial or administrative proceeding or (2)
31 any other public record if the inclusion of the information
32 in the public record is authorized by a court, statute, or
33 decisional law.

34 (i) Notwithstanding any other law, the Department of
35 Justice or any state or local law enforcement agency may
36 require the submission of fingerprints for the purpose of
37 conducting summary criminal history information checks
38 that are authorized by law.

39 SEC. 3. No reimbursement is required by this act
40 pursuant to Section 6 of Article XIII B of the California



1 Constitution because the only costs that may be incurred
2 by a local agency or school district will be incurred
3 because this act creates a new crime or infraction,
4 eliminates a crime or infraction, or changes the penalty
5 for a crime or infraction, within the meaning of Section
6 17556 of the Government Code, or changes the definition
7 of a crime within the meaning of Section 6 of Article
8 XIII B of the California Constitution.

9 Notwithstanding Section 17580 of the Government
10 Code, unless otherwise specified, the provisions of this act
11 shall become operative on the same date that the act
12 takes effect pursuant to the California Constitution.

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