

Senate Bill No. 1662

Passed the Senate April 30, 1998

Secretary of the Senate

Passed the Assembly July 22, 1998

Chief Clerk of the Assembly

This bill was received by the Governor this ____ day
of _____, 1998, at ____ o'clock __M.

Private Secretary of the Governor

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CHAPTER ____

An act to add Section 3304.5 to the Government Code, relating to public safety officers.

LEGISLATIVE COUNSEL'S DIGEST

SB 1662, Ayala. Public safety officers: Procedural Bill of Rights.

The Public Safety Officers Procedural Bill of Rights Act provides that no punitive action, nor denial of promotion on grounds other than merit, shall be undertaken by a public agency without providing the public safety officer with an opportunity for administrative appeal.

This bill would provide that the administrative appeal shall be conducted in conformance with rules and procedures adopted by the local public agency. To the extent that these new requirements would apply to local government employers, the bill would impose a state-mandated local program.

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, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

SECTION 1. Section 3304.5 is added to the Government Code, to read:

3304.5. An administrative appeal instituted by a public safety officer under this chapter shall be



conducted in conformance with rules and procedures adopted by the local public agency.

SEC. 2. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

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



Approved _____, 1998

Governor

