

AMENDED IN ASSEMBLY MARCH 23, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1850**

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**Introduced by Assembly Member Correa**  
**(Principal coauthor: Assembly Member Lowenthal)**  
**(Coauthors: Assembly Members Alquist, Cardoza, Firebaugh,**  
**Granlund, Havice, Jackson, Keeley, Knox, Longville,**  
**Machado, Reyes, Wayne, Wildman, and Zettel**  
**(Coauthor: Senator Dunn)**

February 7, 2000

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An act to amend ~~Sections 68120 and 68121~~ *Section 68120* of the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 1850, as amended, Correa. California public universities: spouses and children of deceased public safety officers: educational benefits.

Existing law prohibits the Regents of the University of California, *the Board of Directors of the Hastings College of Law*, and the Trustees of the California State University System from requiring or collecting fees or tuition from any surviving natural or adopted child of ~~specified public safety officers of the state who were a law enforcement or fire suppression and prevention employee of a public agency, as defined, or until January 1, 2002, a child of a contractor or employee of a contractor performing services for a public agency~~, killed in the performance of active law enforcement

or active fire suppression and prevention duties, if the deceased person met specified requirements.

This bill would additionally make those educational benefits available to ~~the~~ a surviving spouse of ~~such~~ a deceased ~~public safety officer~~ *person to which this provision is applicable.*

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

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

1 ~~SECTION 1. Section 68120 of the Education Code is~~  
2 *SECTION 1. Section 68120 of the Education Code, as*  
3 *amended by Section 1 of Chapter 953 of the Statutes of*  
4 *1999, is amended to read:*

5 68120. (a) Notwithstanding any other provision of  
6 law, no mandatory systemwide fees or tuition of any kind  
7 shall be required of or collected by the Regents of the  
8 University of California, the Board of Directors of the  
9 Hastings College of the Law, or the Trustees of the  
10 California State University from any *surviving spouse or*  
11 *surviving child, natural or adopted, of a deceased person*  
12 *who met all of the following requirements:*

- 13 (1) Was a resident of this state.
- 14 (2) Was employed by a public agency, or was a  
15 contractor, or an employee of a contractor, performing  
16 services for a public agency.
- 17 (3) His or her principal duties consisted of active law  
18 enforcement service or active fire suppression and  
19 prevention. This section shall not apply to a person whose  
20 principal duties were clerical, even if he or she was  
21 subject to occasional call or was occasionally called upon  
22 to perform duties within the scope of active law  
23 enforcement or active fire suppression and prevention.
- 24 (4) Was killed in the performance of active law  
25 enforcement or active fire suppression and prevention  
26 duties or died as a result of an accident or an injury caused  
27 by external violence or physical force, incurred in the  
28 performance of his or her active law enforcement or  
29 active fire suppression and prevention duties.



1 (b) As used in this section, “public agency” means the  
2 state or any city, county, district, or other local authority  
3 or public body of or within the state.

4 (c) This section shall remain in effect only until  
5 January 1, 2002, and as of that date is repealed, unless a  
6 later enacted statute, that is enacted before January 1,  
7 2002, deletes or extends that date.

8 *SEC. 2. Section 68120 of the Education Code, as added*  
9 *by Section 2 of Chapter 953 of the Statutes of 1999, is*  
10 *amended to read:*

11 68120. (a) Notwithstanding any other provision of  
12 law, no mandatory systemwide fees or tuition of any kind  
13 shall be required of or collected by the Regents of the  
14 University of California, the Board of Directors of the  
15 Hastings College of the Law, or the Trustees of the  
16 California State University from any *surviving spouse or*  
17 *surviving child, natural or adopted, of a deceased person*  
18 *who met all of the following requirements:*

19 (1) Was a resident of this state.

20 (2) Was employed by a public agency.

21 (3) His or her principal duties consisted of active law  
22 enforcement service or active fire suppression and  
23 prevention. This section shall not apply to a person whose  
24 principal duties were clerical, even if he or she was  
25 subject to occasional call or was occasionally called upon  
26 to perform duties within the scope of active law  
27 enforcement or active fire suppression and prevention.

28 (4) Was killed in the performance of active law  
29 enforcement or active fire suppression and prevention  
30 duties or died as a result of an accident or an injury caused  
31 by external violence or physical force, incurred in the  
32 performance of his or her active law enforcement or  
33 active fire suppression and prevention duties.

34 (b) As used in this section, “public agency” means the  
35 state or any city, county, district, or other local authority  
36 or public body of or within the state.

37 (c) This section shall become operative on January 1,  
38 2002.

39 ~~amended to read:~~



1 ~~68120. (a) Notwithstanding any other provisions of~~  
2 ~~law to the contrary, no fees or tuition of any kind shall be~~  
3 ~~required of or collected by the Regents of the University~~  
4 ~~of California from any surviving spouse, or surviving child~~  
5 ~~who is natural or adopted, of a deceased person who met~~  
6 ~~all of the following requirements:~~

7 ~~(1) Who was a resident of this state.~~

8 ~~(2) Who was employed by a public agency.~~

9 ~~(3) Whose principal duties consisted of active law~~  
10 ~~enforcement service or active fire suppression and~~  
11 ~~prevention, except a person whose principal duties were~~  
12 ~~clerical even though such a person was subject to~~  
13 ~~occasional call or was occasionally called upon to perform~~  
14 ~~duties within the scope of active law enforcement or~~  
15 ~~active fire suppression and prevention.~~

16 ~~(4) Who was killed in the performance of active law~~  
17 ~~enforcement or active fire suppression and prevention~~  
18 ~~duties or who died as a result of an accident or an injury~~  
19 ~~caused by external violence or physical force, incurred in~~  
20 ~~the performance of his or her active law enforcement or~~  
21 ~~active fire suppression and prevention duties.~~

22 ~~(b) As used in this section, "public agency" means the~~  
23 ~~state or any city, county, district, or other local authority~~  
24 ~~or public body of or within the state.~~

25 ~~SEC. 2. Section 68121 of the Education Code is~~  
26 ~~amended to read:~~

27 ~~68121. (a) Notwithstanding any other provisions of~~  
28 ~~law to the contrary, no fees or tuition of any kind shall be~~  
29 ~~required of or collected by the Trustees of the California~~  
30 ~~State University from any surviving spouse, or surviving~~  
31 ~~child who is natural or adopted, of a deceased person who~~  
32 ~~met all the following requirements:~~

33 ~~(1) Who was a resident of this state.~~

34 ~~(2) Who was employed by a public agency.~~

35 ~~(3) Whose principal duties consisted of active law~~  
36 ~~enforcement service or active fire suppression and~~  
37 ~~prevention, except a person whose principal duties were~~  
38 ~~clerical even though such a person was subject to~~  
39 ~~occasional call or was occasionally called upon to perform~~



1 ~~duties within the scope of active law enforcement or~~  
2 ~~active fire suppression and prevention.~~

3 ~~(4) Who was killed in the performance of active law~~  
4 ~~enforcement or active fire suppression and prevention~~  
5 ~~duties or who died as a result of an accident or an injury~~  
6 ~~caused by external violence or physical force, incurred in~~  
7 ~~the performance of his or her active law enforcement or~~  
8 ~~active fire suppression and prevention duties.~~

9 ~~(b) As used in this section, “public agency” means the~~  
10 ~~state or any city, county, district, or other local authority~~  
11 ~~or public body of or within this state.~~

