

AMENDED IN SENATE MARCH 21, 2013

SENATE BILL

No. 303

Introduced by Senator Knight

February 15, 2013

An act to amend ~~Section~~ *Sections 25905, 25915, 25920, and 25925* of the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

SB 303, as amended, Knight. Peace officers: identification certificates: *concealed weapon endorsement*.

Existing law requires that any peace officer who has been honorably retired be issued an identification certificate by the law enforcement agency from which the officer has retired.

This bill would require that if the agency from which the officer has retired is no longer providing law enforcement services or the relevant governmental body is ~~unincorporated~~ *dissolved*, the agency that subsequently provides law enforcement services for that jurisdiction shall issue the identification certificate to that peace officer, *if prescribed conditions are met, and would make conforming changes*.

By imposing additional duties on local law enforcement agencies, this 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.

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 25905 of the Penal Code is amended to
2 read:

3 25905. (a) (1) Any peace officer described in Section 25900
4 who has been honorably retired shall be issued an identification
5 certificate by the law enforcement agency from which the officer
6 has retired. ~~¶~~

7 (2) *If the agency from which the officer has retired is no longer*
8 *providing law enforcement services or the relevant governmental*
9 *body is ~~unincorporated~~ dissolved, the agency that subsequently*
10 *provides law enforcement services for that jurisdiction shall issue*
11 *the identification certificate to that peace officer. This paragraph*
12 *shall apply only if the following conditions are met:*

13 (A) *The successor agency is in possession of the retired officer's*
14 *complete personnel records or can otherwise verify the retired*
15 *officer's honorably retired status.*

16 (B) *The retired officer is in compliance with all the requirements*
17 *of the successor agency for the issuance of a retirement*
18 *identification card and concealed weapon endorsement.*

19 (b) The issuing agency may charge a fee necessary to cover any
20 reasonable expenses incurred by the agency in issuing certificates
21 pursuant to Sections 25900, 25910, 25925, and this section.

22 (c) Any officer, except an officer listed in Section 830.1 or
23 830.2, subdivision (a) of Section 830.33, or subdivision (c) of
24 Section 830.5 who retired prior to January 1, 1981, shall have an
25 endorsement on the identification certificate stating that the issuing
26 agency approves the officer's carrying of a loaded firearm.

27 (d) An honorably retired peace officer listed in Section 830.1
28 or 830.2, subdivision (a) of Section 830.33, or subdivision (c) of
29 Section 830.5 who retired prior to January 1, 1981, shall not be
30 required to obtain an endorsement from the issuing agency to carry
31 a loaded firearm.

32 *SEC. 2. Section 25915 of the Penal Code is amended to read:*

33 25915. Every five years, a retired peace officer, except an
34 officer listed in Section 830.1 or 830.2, subdivision (a) of Section
35 830.33, or subdivision (c) of Section 830.5 who retired prior to
36 January 1, 1981, shall petition the issuing agency, *or a successor*
37 *agency pursuant to paragraph (2) of subdivision (a) of Section*
38 *25905, for renewal of the privilege to carry a loaded firearm.*

1 *SEC. 3. Section 25920 of the Penal Code is amended to read:*

2 25920. (a) The agency from which a peace officer is honorably
3 retired, *or a successor agency pursuant to paragraph (2) of*
4 *subdivision (a) of Section 25905*, may, upon initial retirement of
5 the peace officer, or at any time subsequent thereto, deny or revoke
6 for good cause the retired officer’s privilege to carry a loaded
7 firearm.

8 (b) A peace officer who is listed in Section 830.1 or 830.2,
9 subdivision (a) of Section 830.33, or subdivision (c) of Section
10 830.5 who is retired prior to January 1, 1981, shall have the
11 privilege to carry a loaded firearm denied or revoked by having
12 the agency from which the officer retired, *or a successor agency*
13 *pursuant to paragraph (2) of subdivision (a) of Section 25905*,
14 stamp on the officer’s identification certificate “No CCW
15 privilege.”

16 *SEC. 4. Section 25925 of the Penal Code is amended to read:*

17 25925. (a) An honorably retired peace officer who is listed in
18 subdivision (c) of Section 830.5 and authorized to carry a loaded
19 firearm by this article shall meet the training requirements of
20 Section 832 and shall qualify with the firearm at least annually.

21 (b) The individual retired peace officer shall be responsible for
22 maintaining eligibility to carry a loaded firearm.

23 (c) The Department of Justice shall provide subsequent arrest
24 notification pursuant to Section 11105.2 regarding honorably
25 retired peace officers listed in subdivision (c) of Section 830.5 to
26 the agency from which the officer has retired, *or a successor*
27 *agency pursuant to paragraph (2) of subdivision (a) of Section*
28 *25905*.

29 ~~SEC. 2.~~

30 *SEC. 5.* No reimbursement is required by this act pursuant to
31 Section 6 of Article XIII B of the California Constitution because
32 a local agency or school district has the authority to levy service
33 charges, fees, or assessments sufficient to pay for the program or
34 level of service mandated by this act, within the meaning of Section
35 17556 of the Government Code.