

AMENDED IN SENATE JUNE 29, 2006

AMENDED IN SENATE JUNE 21, 2006

AMENDED IN ASSEMBLY MAY 4, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2543

Introduced by Assembly Member Bermudez

February 23, 2006

An act to ~~amend Section 6240 of the Family Code~~, amend Sections 3317, 3322, 3332, and 3333 of the Food and Agricultural Code, ~~amend Sections 633, 12028.5, and 13700 of the Penal Code~~, and to ~~amend Section 22855 of the Vehicle Code~~, relating to the Board of Directors of the California Exposition and State Fair, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 2543, as amended, Bermudez. The Board of Directors of the California Exposition and State Fair.

~~Existing law provides that a judicial officer may issue an ex parte emergency protective order if a law enforcement officer asserts reasonable grounds to believe that a person is in immediate and present danger of domestic violence, abuse, or abduction, as specified.~~

~~This bill would include police officers of the California State Fair Police in the definition of law enforcement officer for the purposes of these provisions.~~

Existing law provides that there is in state government the Board of Directors of the California Exposition and State Fair which is the policymaking body for the California Exposition and State Fair and

has full responsibility for the year-round management and operation of all facilities of the California Exposition and State Fair.

Existing law provides that two members of the Legislature shall meet with and advise the board, as specified.

This bill would provide that the chairperson and vice chairperson of the Joint Committee on Fairs Allocation and Classification shall also meet with and advise the board.

Existing law provides that three officers of the California State Fair, a deputy general manager, program manager, and a marketing manager, appointed by the Governor, may each select a deputy, as specified.

This bill would repeal provisions allowing each of the officers to select a deputy and instead provide that the officers shall serve at the pleasure of the board under the direction of the general manager.

Existing law provides that the board may appoint all necessary marshals and police to keep order and preserve peace at the California Exposition and State Fair premises on a year-round basis. Existing law provides that 25% of the officers so employed may be appointed if they have completed a Peace Officer Standards and Training-certified academy or possess a Level One Reserve Certificate, as specified.

This bill would provide that the 25% may also include probation officers, as specified. *This bill would provide that probation officers so appointed have limited peace officer authority, as specified.*

~~Existing law provides that the board may delegate to officers and employees of the California Exposition and State Fair authority to appoint civil service personnel, as specified.~~

~~This bill would specify that the board may delegate to those officers and employees independent authority to hire and appoint various types of civil service personnel including the authority to appoint marshals and police, as specified.~~

~~Existing law provides that it is unlawful for any person to tap or make unauthorized connection to, eavesdrop upon or record, or intercept or receive a communication without the consent of the parties to the communication, as specified. Existing law provides that these provisions do not prohibit law enforcement, as specified, from overhearing or recording any communication that they could lawfully overhear or record prior to the effective date of these provisions.~~

~~This bill would add police officers of the California State Fair Police to the law enforcement officers listed in these provisions.~~

~~Existing law provides that a law enforcement officer who is at the scene of a domestic violence incident shall take temporary custody of any firearm or other deadly weapon as is necessary for the protection of the officer or other persons present, as specified.~~

~~This bill would add police officers of the California State Fair Police to this list of law enforcement officers who may take temporary custody of a weapon under these circumstances, as specified.~~

~~Existing law requires all law enforcement agency in this state shall develop, adopt, and implement written policies and standards for officers' responses to domestic violence calls, as specified.~~

~~This bill would include police officers of the California State Fair Police among those officers.~~

~~This bill would declare that it is to take effect immediately as an urgency statute.~~

~~Vote: 2/3. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.~~

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

- 1 SECTION 1. ~~Section 6240 of the Family Code is amended to~~
- 2 ~~read:~~
- 3 ~~6240. As used in this part:~~
- 4 ~~(a) "Judicial officer" means a judge, commissioner, or referee~~
- 5 ~~designated under Section 6241.~~
- 6 ~~(b) "Law enforcement officer" means one of the following~~
- 7 ~~officers who requests or enforces an emergency protective order~~
- 8 ~~under this part:~~
- 9 ~~(1) A police officer.~~
- 10 ~~(2) A sheriff's officer.~~
- 11 ~~(3) A peace officer of the Department of the California~~
- 12 ~~Highway Patrol.~~
- 13 ~~(4) A peace officer of the University of California Police~~
- 14 ~~Department.~~
- 15 ~~(5) A peace officer of the California State University and~~
- 16 ~~College Police Departments.~~
- 17 ~~(6) A peace officer of the Department of Parks and Recreation,~~
- 18 ~~as defined in subdivision (f) of Section 830.2 of the Penal Code.~~
- 19 ~~(7) A peace officer of the Department of General Services of~~
- 20 ~~the City of Los Angeles, as defined in subdivision (e) of Section~~
- 21 ~~830.31 of the Penal Code.~~

- 1 ~~(8) A housing authority patrol officer, as defined in~~
- 2 ~~subdivision (d) of Section 830.31 of the Penal Code.~~
- 3 ~~(9) A peace officer for a district attorney, as defined in Section~~
- 4 ~~830.1 or 830.35 of the Penal Code.~~
- 5 ~~(10) A parole officer, probation officer, or deputy probation~~
- 6 ~~officer, as defined in Section 830.5 of the Penal Code.~~
- 7 ~~(11) A peace officer of a California Community College~~
- 8 ~~police department, as defined in subdivision (a) of Section~~
- 9 ~~830.32.~~
- 10 ~~(12) A peace officer employed by a police department of a~~
- 11 ~~school district, as defined in subdivision (b) of Section 830.32.~~
- 12 ~~(13) A police officer of the California State Fair Police.~~
- 13 ~~(e) "Abduct" means take, entice away, keep, withhold, or~~
- 14 ~~conceal.~~
- 15 ~~SEC. 2.~~
- 16 *SECTION 1.* Section 3317 of the Food and Agricultural Code
- 17 is amended to read:
- 18 3317. The two Members of the Legislature who represent the
- 19 Assembly and Senate district in which the California Exposition
- 20 and State Fair facilities are located and the chairperson and vice
- 21 chairperson of the Joint Committee on Fairs Allocation and
- 22 Classification shall meet with and, except as otherwise provided
- 23 by the Constitution, advise the board to the extent that such
- 24 advisory participation is not incompatible with their duties as
- 25 Members of the Legislature.
- 26 ~~SEC. 3.~~
- 27 *SEC. 2.* Section 3322 of the Food and Agricultural Code is
- 28 amended to read:
- 29 3322. (a) The following officers of the California Exposition
- 30 and State Fair shall be appointed by the Governor, pursuant to
- 31 Section 4 of Article VII of the California Constitution, upon
- 32 recommendation of the board:
- 33 (1) Deputy general manager.
- 34 (2) Program manager.
- 35 (3) Marketing manager.
- 36 (b) The state officers appointed pursuant to subdivision (a)
- 37 shall serve at the pleasure of the board
- 38 , under the direction of the general manager.

1 ~~SEC. 4.~~

2 *SEC. 3.* Section 3332 of the Food and Agricultural Code is
3 amended to read:

4 3332. The board may do any of the following:

5 (a) Contract.

6 (b) Accept funds or gifts of value from the United States or
7 any person to aid in carrying out the purposes of this part.

8 (c) Conduct or contract for programs, either independently or
9 in cooperation with any individual, public or private
10 organization, or federal, state, or local governmental agency.

11 (d) Establish and maintain a bank checking account or a
12 savings and loan association account, approved by the Director
13 of Finance in accordance with Sections 16506 and 16605 of the
14 Government Code, for depositing funds received by the
15 California Exposition and State Fair. Notwithstanding Section
16 13340 of the Government Code, all funds maintained in an
17 account authorized by this subdivision are continuously
18 appropriated to the board, without regard to fiscal year, to carry
19 out this part.

20 (e) Establish a program for paying vendors who contract with
21 the California Exposition and State Fair.

22 (f) Make or adopt all necessary orders, rules, or regulations for
23 governing the activities of the California Exposition and State
24 Fair. Notwithstanding Section 14, any orders, rules, or
25 regulations adopted by the board are exempt from Chapter 3.5
26 (commencing with Section 11340) of Part 1 of Division 3 of Title
27 2 of the Government Code. For informational purposes only,
28 however, any order, rule, or regulation adopted by the board may
29 be transmitted to the Office of Administrative Law for filing with
30 the Secretary of State pursuant to Section 11343 of the
31 Government Code.

32 (g) Delegate to the officers and employees of the California
33 Exposition and State Fair the independent authority to hire and
34 appoint professional, clerical, technical, seasonal hires and
35 administrative civil service personnel as may be necessary to
36 carry out the provisions of this chapter, in accordance with
37 Sections 3301 and 3311 of this part. Further, this authority shall
38 include, but is not limited to, the authority to appoint marshals
39 and police as provided in subdivision (j).

1 (h) Operate a payroll system for paying employees, and a
2 system for accounting for vacation and sick leave credits of
3 employees.

4 (i) Delegate to the officers and employees of the California
5 Exposition and State Fair the exercise of powers vested in the
6 board as the board may deem desirable for the orderly
7 management and operation of the California Exposition and State
8 Fair.

9 (j) Appoint all necessary marshals and police to keep order
10 and preserve peace at the California Exposition and State Fair
11 premises on a year-round basis who shall have the powers of
12 peace officers specified in Section 830.2 of the Penal Code. A
13 peace officer of the Department of the California Highway Patrol
14 may be employed as a peace officer while off duty from his or
15 her regular employment, subject to those conditions as may be
16 set forth by the Commissioner of the Department of the
17 California Highway Patrol. At least 75 percent of the persons
18 appointed pursuant to this subdivision shall possess the basic
19 certificate issued by the Commission on Peace Officers
20 Standards and Training. The remaining 25 percent may be
21 appointed if the person has completed a Peace Officer Standards
22 and Training-certified academy, ~~is a probation officer certified~~
23 ~~under Section 832 of the Penal Code~~, or possesses a Level One
24 Reserve Certificate (as defined in Section 832.6 of the Penal
25 Code). *Of this 25 percent, any portion may be comprised of*
26 *probation officers certified under Section 832. Nothing in this*
27 *subdivision shall be construed to give probation officers*
28 *appointed pursuant to this subdivision peace officer powers*
29 *pursuant to Section 830.2 of the Penal Code.*

30 (k) With the approval of the Department of General Services,
31 purchase, acquire, or hold real or personal property, and beautify
32 or improve that property. Any acquisition of land or other real
33 property is subject to the approval of the Department of General
34 Services, and in the case of the purchase of real property, is
35 subject to the Property Acquisition Law (Part 11 (commencing
36 with Section 15850) of Division 3 of Title 2 of the Government
37 Code).

38 (l) With the approval of the Department of General Services,
39 make permanent improvements upon publicly owned real
40 property adjacent to, or near the vicinity of, the real property of

1 the California Exposition and State Fair when the improvements
2 materially benefit the property of the California Exposition and
3 State Fair.

4 (m) Lease, with the approval of the Department of General
5 Services, any of its property for any purpose for any period of
6 time.

7 (n) Use or manage any of its property, with the approval of the
8 Department of General Services, jointly or in connection with
9 any lessee or sublessee, for any purpose approved by the board.

10 (o) With the approval of the Department of General Services,
11 pledge any and all revenues, moneys, accounts, accounts
12 receivable, contract rights, and other rights to payment of
13 whatever kind, pursuant to such terms and conditions as are
14 approved by the board. Any issuance of bonds, contracts entered
15 into, debts incurred, settlements, judgments, or liens under this
16 section or pursuant to Chapter 5 (commencing with Section
17 6500) of Division 7 of Title 1 of the Government Code, shall not
18 directly, indirectly, or contingently obligate the state or any
19 political subdivision thereof to levy or to pledge any form of
20 taxation therefor or to make any appropriation for their payment.
21 Any such bond shall contain on the face thereof a statement to
22 the following effect: "Neither the full faith and credit nor the
23 taxing power of the State of California is pledged to the payment
24 of the principal of, or interest on this bond."

25 ~~SEC. 5.~~

26 *SEC. 4.* Section 3333 of the Food and Agricultural Code is
27 amended to read:

28 3333. The board shall submit a report to the Legislature and
29 Governor on or before May 31st of each year with respect to the
30 financial condition, present operations, and future planned
31 activities of the California Exposition and State Fair.

32 ~~SEC. 6. Section 633 of the Penal Code is amended to read:~~

33 ~~633. Nothing in Section 631, 632, 632.5, 632.6, or 632.7~~
34 ~~prohibits the Attorney General, any district attorney, or any~~
35 ~~assistant, deputy, or investigator of the Attorney General or any~~
36 ~~district attorney, any officer of the California Highway Patrol,~~
37 ~~any chief of police, assistant chief of police, or police officer of a~~
38 ~~city or city and county, any sheriff, undersheriff, or deputy~~
39 ~~sheriff regularly employed and paid in that capacity by a county,~~
40 ~~police officer of the County of Los Angeles, any officer of the~~

1 California State Fair Police, or any person acting pursuant to the
2 direction of one of these law enforcement officers acting within
3 the scope of his or her authority, from overhearing or recording
4 any communication that they could lawfully overhear or record
5 prior to the effective date of this chapter.

6 Nothing in Section 631, 632, 632.5, 632.6, or 632.7 renders
7 inadmissible any evidence obtained by the above-named persons
8 by means of overhearing or recording any communication that
9 they could lawfully overhear or record prior to the effective date
10 of this chapter.

11 SEC. 7. Section 12028.5 of the Penal Code is amended to
12 read:

13 12028.5. (a) As used in this section, the following definitions
14 shall apply:

15 (1) "Abuse" means any of the following:

16 (A) Intentionally or recklessly to cause or attempt to cause
17 bodily injury.

18 (B) Sexual assault.

19 (C) To place a person in reasonable apprehension of imminent
20 serious bodily injury to that person or to another.

21 (D) To molest, attack, strike, stalk, destroy personal property,
22 or violate the terms of a domestic violence protective order
23 issued pursuant to Part 4 (commencing with Section 6300) of
24 Division 10 of the Family Code.

25 (2) "Domestic violence" means abuse perpetrated against any
26 of the following persons:

27 (A) A spouse or former spouse.

28 (B) A cohabitant or former cohabitant, as defined in Section
29 6209 of the Family Code.

30 (C) A person with whom the respondent is having or has had a
31 dating or engagement relationship.

32 (D) A person with whom the respondent has had a child,
33 where the presumption applies that the male parent is the father
34 of the child of the female parent under the Uniform Parentage
35 Act (Part 3 (commencing with Section 7600) of Division 12 of
36 the Family Code).

37 (E) A child of a party or a child who is the subject of an action
38 under the Uniform Parentage Act, where the presumption applies
39 that the male parent is the father of the child to be protected.

1 ~~(F) Any other person related by consanguinity or affinity~~
2 ~~within the second degree.~~

3 ~~(3) “Deadly weapon” means any weapon, the possession or~~
4 ~~concealed carrying of which is prohibited by Section 12020.~~

5 ~~(b) A sheriff, undersheriff, deputy sheriff, marshal, deputy~~
6 ~~marshal, or police officer of a city, as defined in subdivision (a)~~
7 ~~of Section 830.1, a peace officer of the Department of the~~
8 ~~California Highway Patrol, as defined in subdivision (a) of~~
9 ~~Section 830.2, a member of the University of California Police~~
10 ~~Department, as defined in subdivision (b) of Section 830.2, an~~
11 ~~officer listed in Section 830.6 while acting in the course and~~
12 ~~scope of his or her employment as a peace officer, a member of a~~
13 ~~California State University Police Department, as defined in~~
14 ~~subdivision (e) of Section 830.2, a police officer of the California~~
15 ~~State Fair Police, a peace officer of the Department of Parks and~~
16 ~~Recreation, as defined in subdivision (f) of Section 830.2, a~~
17 ~~peace officer, as defined in subdivision (d) of Section 830.31, a~~
18 ~~peace officer, as defined in subdivisions (a) and (b) of Section~~
19 ~~830.32, and a peace officer, as defined in Section 830.5, who is at~~
20 ~~the scene of a domestic violence incident involving a threat to~~
21 ~~human life or a physical assault, shall take temporary custody of~~
22 ~~any firearm or other deadly weapon in plain sight or discovered~~
23 ~~pursuant to a consensual or other lawful search as necessary for~~
24 ~~the protection of the peace officer or other persons present. Upon~~
25 ~~taking custody of a firearm or other deadly weapon, the officer~~
26 ~~shall give the owner or person who possessed the firearm a~~
27 ~~receipt. The receipt shall describe the firearm or other deadly~~
28 ~~weapon and list any identification or serial number on the~~
29 ~~firearm. The receipt shall indicate where the firearm or other~~
30 ~~deadly weapon can be recovered, the time limit for recovery as~~
31 ~~required by this section, and the date after which the owner or~~
32 ~~possessor can recover the firearm or other deadly weapon. No~~
33 ~~firearm or other deadly weapon shall be held less than 48 hours.~~
34 ~~Except as provided in subdivision (f), if a firearm or other deadly~~
35 ~~weapon is not retained for use as evidence related to criminal~~
36 ~~charges brought as a result of the domestic violence incident or is~~
37 ~~not retained because it was illegally possessed, the firearm or~~
38 ~~other deadly weapon shall be made available to the owner or~~
39 ~~person who was in lawful possession 48 hours after the seizure or~~
40 ~~as soon thereafter as possible, but no later than five business days~~

1 after the owner or person who was in lawful possession
2 demonstrates compliance with Section 12021.3. In any civil
3 action or proceeding for the return of firearms or ammunition or
4 other deadly weapon seized by any state or local law
5 enforcement agency and not returned within five business days
6 following the initial seizure, except as provided in subdivision
7 (d), the court shall allow reasonable attorney's fees to the
8 prevailing party.

9 (e) Any peace officer, as defined in subdivisions (a) and (b) of
10 Section 830.32, who takes custody of a firearm or deadly weapon
11 pursuant to this section shall deliver the firearm within 24 hours
12 to the city police department or county sheriff's office in the
13 jurisdiction where the college or school is located.

14 (d) Any firearm or other deadly weapon that has been taken
15 into custody that has been stolen shall be restored to the lawful
16 owner, as soon as its use for evidence has been served, upon his
17 or her identification of the firearm or other deadly weapon and
18 proof of ownership, and after the law enforcement agency has
19 complied with Section 12021.3.

20 (e) Any firearm or other deadly weapon taken into custody and
21 held by a police, university police, or sheriff's department or by
22 a marshal's office, by a police officer of the California State Fair
23 Police, by a peace officer of the Department of the California
24 Highway Patrol, as defined in subdivision (a) of Section 830.2,
25 by a peace officer of the Department of Parks and Recreation, as
26 defined in subdivision (f) of Section 830.2, by a peace officer, as
27 defined in subdivision (d) of Section 830.31, or by a peace
28 officer, as defined in Section 830.5, for longer than 12 months
29 and not recovered by the owner or person who has lawful
30 possession at the time it was taken into custody, shall be
31 considered a nuisance and sold or destroyed as provided in
32 subdivision (c) of Section 12028. Firearms or other deadly
33 weapons not recovered within 12 months due to an extended
34 hearing process as provided in subdivision (j), are not subject to
35 destruction until the court issues a decision, and then only if the
36 court does not order the return of the firearm or other deadly
37 weapon to the owner.

38 (f) In those cases in which a law enforcement agency has
39 reasonable cause to believe that the return of a firearm or other
40 deadly weapon would be likely to result in endangering the

1 victim or the person reporting the assault or threat, the agency
2 shall advise the owner of the firearm or other deadly weapon, and
3 within 60 days of the date of seizure, initiate a petition in
4 superior court to determine if the firearm or other deadly weapon
5 should be returned. The law enforcement agency may make an ex
6 parte application stating good cause for an order extending the
7 time to file a petition. Including any extension of time granted in
8 response to an ex parte request, a petition must be filed within 90
9 days of the date of seizure of the firearm or other deadly weapon.

10 (g) The law enforcement agency shall inform the owner or
11 person who had lawful possession of the firearm or other deadly
12 weapon, at that person's last known address by registered mail,
13 return receipt requested, that he or she has 30 days from the date
14 of receipt of the notice to respond to the court clerk to confirm
15 his or her desire for a hearing, and that the failure to respond
16 shall result in a default order forfeiting the confiscated firearm or
17 other deadly weapon. For the purposes of this subdivision, the
18 person's last known address shall be presumed to be the address
19 provided to the law enforcement officer by that person at the time
20 of the family violence incident. In the event the person whose
21 firearm or other deadly weapon was seized does not reside at the
22 last address provided to the agency, the agency shall make a
23 diligent, good faith effort to learn the whereabouts of the person
24 and to comply with these notification requirements.

25 (h) If the person requests a hearing, the court clerk shall set a
26 hearing no later than 30 days from receipt of that request. The
27 court clerk shall notify the person, the law enforcement agency
28 involved, and the district attorney of the date, time, and place of
29 the hearing. Unless it is shown by a preponderance of the
30 evidence that the return of the firearm or other deadly weapon
31 would result in endangering the victim or the person reporting
32 the assault or threat, the court shall order the return of the firearm
33 or other deadly weapon and shall award reasonable attorney's
34 fees to the prevailing party.

35 (i) If the person does not request a hearing or does not
36 otherwise respond within 30 days of the receipt of the notice, the
37 law enforcement agency may file a petition for an order of
38 default and may dispose of the firearm or other deadly weapon as
39 provided in Section 12028.

1 (j) ~~If, at the hearing, the court does not order the return of the~~
2 ~~firearm or other deadly weapon to the owner or person who had~~
3 ~~lawful possession, that person may petition the court for a second~~
4 ~~hearing within 12 months from the date of the initial hearing. If~~
5 ~~there is a petition for a second hearing, unless it is shown by~~
6 ~~clear and convincing evidence that the return of the firearm or~~
7 ~~other deadly weapon would result in endangering the victim or~~
8 ~~the person reporting the assault or threat, the court shall order the~~
9 ~~return of the firearm or other deadly weapon and shall award~~
10 ~~reasonable attorney's fees to the prevailing party. If the owner or~~
11 ~~person who had lawful possession does not petition the court~~
12 ~~within this 12-month period for a second hearing or is~~
13 ~~unsuccessful at the second hearing in gaining return of the~~
14 ~~firearm or other deadly weapon, the firearm or other deadly~~
15 ~~weapon may be disposed of as provided in Section 12028.~~

16 (k) ~~The law enforcement agency, or the individual law~~
17 ~~enforcement officer, shall not be liable for any act in the good~~
18 ~~faith exercise of this section.~~

19 SEC. 8. ~~Section 13700 of the Penal Code is amended to read:~~
20 ~~13700. As used in this title:~~

21 (a) ~~“Abuse” means intentionally or recklessly causing or~~
22 ~~attempting to cause bodily injury, or placing another person in~~
23 ~~reasonable apprehension of imminent serious bodily injury to~~
24 ~~himself or herself, or another.~~

25 (b) ~~“Domestic violence” means abuse committed against an~~
26 ~~adult or a minor who is a spouse, former spouse, cohabitant,~~
27 ~~former cohabitant, or person with whom the suspect has had a~~
28 ~~child or is having or has had a dating or engagement relationship.~~
29 ~~For purposes of this subdivision, “cohabitant” means two~~
30 ~~unrelated adult persons living together for a substantial period of~~
31 ~~time, resulting in some permanency of relationship. Factors that~~
32 ~~may determine whether persons are cohabiting include, but are~~
33 ~~not limited to, (1) sexual relations between the parties while~~
34 ~~sharing the same living quarters, (2) sharing of income or~~
35 ~~expenses, (3) joint use or ownership of property, (4) whether the~~
36 ~~parties hold themselves out as husband and wife, (5) the~~
37 ~~continuity of the relationship, and (6) the length of the~~
38 ~~relationship.~~

39 (e) ~~“Officer” means any officer or employee of a local police~~
40 ~~department or sheriff's office, and any peace officer of the~~

1 Department of the California Highway Patrol, the Department of
2 Parks and Recreation, the University of California Police
3 Department, or the California State University and College
4 Police Departments, as defined in Section 830.2, a police officer
5 of the California State Fair Police, a peace officer of the
6 Department of General Services of the City of Los Angeles, as
7 defined in subdivision (c) of Section 830.31, a housing authority
8 patrol officer, as defined in subdivision (d) of Section 830.31, or
9 a peace officer as defined in subdivisions (a) and (b) of Section
10 830.32.

11 (d) “Victim” means a person who is a victim of domestic
12 violence.

13 SEC. 9. Section 22855 of the Vehicle Code is amended to
14 read:

15 22855. The following persons shall have the authority to
16 make appraisals of the value of vehicles for purposes of this
17 chapter, subject to the conditions stated in this chapter:

18 (a) Any peace officer of the Department of the California
19 Highway Patrol designated by the commissioner.

20 (b) Any regularly employed and salaried deputy sheriff, any
21 reserve deputy sheriff listed under Section 830.6 of the Penal
22 Code, or any other employee designated by the sheriff of any
23 county.

24 (c) Any regularly employed and salaried police officer, any
25 reserve police officer listed under Section 830.6 of the Penal
26 Code, or any other employee designated by the chief of police of
27 any city.

28 (d) Any officer or employee of the Department of Motor
29 Vehicles designated by the director of that department.

30 (e) Any regularly employed and salaried police officer, or
31 reserve police officer, or other employee of the University of
32 California Police Department designated by the chief of the
33 department.

34 (f) Any regularly salaried employee of a city, county, or city
35 and county designated by a board of supervisors or a city council
36 pursuant to subdivision (a) of Section 22669.

37 (g) Any regularly employed and salaried police officer, or
38 reserve police officer, or other employee of the police department
39 of a California State University designated by the chief thereof.

1 ~~(h) Any regularly employed and salaried security officer or~~
2 ~~other employee of a transit district security force designated by~~
3 ~~the chief thereof.~~

4 ~~(i) Any regularly employed and salaried peace officer, or~~
5 ~~reserve peace officer, or other employee of the Department of~~
6 ~~Parks and Recreation designated by the director of that~~
7 ~~department.~~

8 ~~(j) Any regularly employed and salaried police officer of the~~
9 ~~California State Fair Police Department designated by the chief~~
10 ~~of the department.~~

11 ~~SEC. 10.~~

12 *SEC. 5.* This act is an urgency statute necessary for the
13 immediate preservation of the public peace, health, or safety
14 within the meaning of Article IV of the Constitution and shall go
15 into immediate effect. The facts constituting the necessity are:

16 In order to preserve and enhance the operational integrity of
17 the California Exposition and State Fair in Sacramento, and to
18 ensure that probation officers may be employed as police officers
19 to assist the California State Fair Police Department in keeping
20 order and preserving peace at the annual State Fair commencing
21 August 11, 2006, it is necessary that this act go into immediate
22 effect.