

ASSEMBLY BILL

No. 71

Introduced by Assembly Member Rodriguez

December 18, 2014

An act to add Section 13022.5 to the Penal Code, relating to criminal justice.

LEGISLATIVE COUNSEL'S DIGEST

AB 71, as introduced, Rodriguez. Criminal justice: reporting.

Existing law requires each sheriff and police chief to annually furnish a report to the Department of Justice on justifiable homicides.

This bill would require each sheriff and police chief to annually furnish a report to the Department of Justice on shootings that involve peace officers and result in the injury or death of an individual or a peace officer. By imposing new duties on local agencies, 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.

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.

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 13022.5 is added to the Penal Code, to
2 read:
3 13022.5. Each sheriff and chief of police shall annually furnish
4 to the Department of Justice, in the manner prescribed by the
5 Attorney General, a report of all instances when a peace officer is
6 involved in shootings that occur in his or her jurisdiction where
7 an individual or a peace officer is injured or killed. In cases where
8 both a sheriff and chief of police would be required to report an
9 officer involved shooting under this section, only the chief of police
10 shall report the instance.
11 SEC. 2. If the Commission on State Mandates determines that
12 this act contains costs mandated by the state, reimbursement to
13 local agencies and school districts for those costs shall be made
14 pursuant to Part 7 (commencing with Section 17500) of Division
15 4 of Title 2 of the Government Code.

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