

AMENDED IN ASSEMBLY JUNE 22, 2015

AMENDED IN SENATE APRIL 7, 2015

**SENATE BILL**

**No. 242**

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**Introduced by Senator Monning**

February 17, 2015

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An act to add Section 38004.5 to the Education Code, relating to school security.

LEGISLATIVE COUNSEL'S DIGEST

SB 242, as amended, Monning. School security: surplus military equipment.

Existing law authorizes the governing board of a school district to establish a security department under the supervision of a chief of security, or a police department under the supervision of a school chief of police.

The Federal Surplus Property Acquisition Law of 1945 authorizes a local agency, as defined, to acquire surplus federal property without regard to any law which requires posting of notices or advertising for bids, inviting or receiving bids, delivery of purchases before payment, or prevents the local agency from bidding on federal surplus property. Existing federal law authorizes the Department of Defense to transfer surplus personal property, including arms and ammunition, to federal or state agencies for use in law enforcement activities, subject to specified conditions, at no cost to the acquiring agency.

This bill would require the governing board of *a school-districts district that have* has established a school police department to prohibit that school police department from receiving surplus military equipment pursuant to the above-described federal law unless specified conditions are satisfied.

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

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

1     SECTION 1. Section 38004.5 is added to the Education Code,  
2     to read:  
3     38004.5. The governing board of a school district that  
4     establishes a school police department shall not permit the school  
5     police department to receive surplus military equipment pursuant  
6     to Section 2576a of Title 10 of the ~~Unites~~ *United* States Code,  
7     unless the governing board of the school district does all of the  
8     following:  
9     (a) Votes to approve the acquisition of surplus military  
10    equipment at a regularly scheduled public board meeting.  
11    (b) Provides parents or guardians of pupils, and other members  
12    of the public, a chance to comment at a regularly scheduled public  
13    board meeting on the proposed acquisition of surplus military  
14    equipment, and, clearly and in a manner recognizable to the general  
15    public, identify in the agenda the topic to be discussed at the  
16    meeting.  
17    (c) *Provides a detailed description of the function and purpose*  
18    *of the surplus military equipment to be received.*  
19    ~~(e)~~  
20    (d) Identifies safe and secure storage for surplus military  
21    equipment to be received by a school police department.  
22    ~~(d)~~  
23    (e) Ensures that peace officers employed by a school police  
24    department possess adequate training in the safe use and handling  
25    of the surplus military equipment to be received.