

Dear Rules Committee members,

I contacted Niccolo to provide you with a better understanding on what is AB1532. Niccolo spoke with Assembly member Lieu's staff who worked on the bill, and here is a summary:

This bill adds a separate Penal Code section for the existing definition of a "code enforcement officer"

If this definition is changed, some potential funding that code enforcement activities could be eligible for are:

- o DOJ Byrne JAG funding
- o DOJ COPS funding
- o CDBG Block grant funds.

The staff member who wrote the legislation informed Niccolo that grant funding opportunities for enforcement activities is definitely one of the goals. Also, as I reported yesterday at Rules, the bill has made it through the Senate and Assembly and is waiting for the Governor to sign. Please let me know if there is any additional information you would like on AB1532.

Thank you,

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Council Aide to  
Councilmember Desley Brooks  
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CURRENT BILL STATUS

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

①

MEASURE : A.B. No. 1532  
AUTHOR(S) : Lieu. 2010 JUL 15 PM 3:31  
TOPIC : Code enforcement officers.  
+LAST AMENDED DATE : 02/24/2010

TYPE OF BILL :

- Active
- Urgency
- Non-Appropriations
- 2/3 Vote Required
- Non-State-Mandated Local Program
- Non-Fiscal
- Non-Tax Levy

LAST HIST. ACT. DATE: 07/07/2010  
LAST HIST. ACTION : Enrolled and to the Governor at 2 p.m.  
COMM. LOCATION : SEN PUBLIC SAFETY  
COMM. ACTION DATE : 06/15/2010  
COMM. ACTION : Do pass.  
COMM. VOTE SUMMARY : Ayes: 07 Noes: 00 PASS

TITLE : An act to add Chapter 4.2 (commencing with Section 829.5) to Title 3 of Part 2 of the Penal Code, relating to code enforcement officers, and declaring the urgency thereof, to take effect immediately.

## COMPLETE BILL HISTORY

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BILL NUMBER : A.B. No. 1532  
 AUTHOR : Lieu  
 TOPIC : Code enforcement officers.

## TYPE OF BILL :

Active  
 Urgency  
 Non-Appropriations  
 2/3 Vote Required  
 Non-State-Mandated Local Program  
 Non-Fiscal  
 Non-Tax Levy

## BILL HISTORY

2010

July 7 Enrolled and to the Governor at 2 p.m.  
 July 1 Urgency clause adopted. Senate amendments concurred in. To enrollment. (Ayes 77. Noes 0. Page 5921.)  
 June 28 In Assembly. Concurrence in Senate amendments pending. May be considered on or after June 30 pursuant to Assembly Rule 77.  
 June 28 Read third time. Urgency clause adopted. Passed and to Assembly. (Ayes 32. Noes 0. Page 4099.)  
 June 23 Ordered to Special Consent Calendar.  
 June 16 Read second time. To third reading.  
 June 15 From committee: Do pass. (Ayes 7. Noes 0.) (June 15).  
 June 3 In committee: Set, first hearing. Hearing canceled at the request of author.  
 Feb. 24 From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on PUB. S.  
 Feb. 4 Referred to Com. on PUB. S.  
 Jan. 19 In Senate. Read first time. To Com. on RLS. for assignment.  
 Jan. 19 Read third time, passed, and to Senate. (Ayes 71. Noes 0. Page 3816.)  
 Jan. 14 Read second time. To Consent Calendar.  
 Jan. 13 From committee: Do pass. To Consent Calendar. (January 12).  
 Jan. 7 From committee: Be re-referred to Com. on PUB. S. Re-referred. (Ayes 10. Noes 0.) (January 7).  
 Jan. 4 From committee chair, with author's amendments: Amend, and re-refer to Com. on HUM. S. Read second time and amended. Re-referred to Com. on HUM. S. Re-referred to Com. on RULES. pursuant to Assembly Rule 96.

2009

July 1 In committee: Set, second hearing. Hearing canceled at the request of author.  
 May 12 In committee: Set, first hearing. Hearing canceled at the request of author.  
 Apr. 16 Re-referred to Com. on HUM. S.  
 Apr. 14 From committee chair, with author's amendments: Amend, and re-refer to Com. on HUM. S. Read second time and amended.  
 Apr. 13 Referred to Com. on HUM. S.  
 Mar. 2 Read first time.  
 Mar. 1 From printer. May be heard in committee March 30.  
 Feb. 27 Introduced. To print.

BILL NUMBER: AB 1532 ENROLLED  
BILL TEXT

③

PASSED THE SENATE JUNE 28, 2010  
PASSED THE ASSEMBLY JULY 1, 2010  
AMENDED IN SENATE FEBRUARY 24, 2010  
AMENDED IN ASSEMBLY JANUARY 4, 2010  
AMENDED IN ASSEMBLY APRIL 14, 2009

INTRODUCED BY Assembly Member Lieu

FEBRUARY 27, 2009

An act to add Chapter 4.2 (commencing with Section 829.5) to Title 3 of Part 2 of the Penal Code, relating to code enforcement officers, and declaring the urgency thereof, to take effect immediately.

#### LEGISLATIVE COUNSEL'S DIGEST

AB 1532, Lieu. Code enforcement officers.

Existing law defines the term "code enforcement officer" for purposes of determining the punishment for an assault or battery committed against a code enforcement officer as a person who is not a peace officer, has enforcement authority for health, safety, and welfare requirements, and is authorized to issue citations or file formal complaints, as specified.

This bill would define the term "code enforcement officer" in the Penal Code as described above without limiting the definition to the context of assault and battery committed against a code enforcement officer.

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

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Chapter 4.2 (commencing with Section 829.5) is added to Title 3 of Part 2 of the Penal Code, to read:

#### CHAPTER 4.2. CODE ENFORCEMENT OFFICERS

829.5. (a) "Code enforcement officer" means any person who is not described in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 and who is employed by any governmental subdivision, public or quasi-public corporation, public agency, public service corporation, any town, city, county, or municipal corporation, whether incorporated or chartered, who has enforcement authority for health, safety, and welfare requirements, and whose duties include enforcement of any statute, rules, regulations, or standards, and who is authorized to issue citations, or file formal complaints.

(b) "Code enforcement officer" also includes any person who is employed by the Department of Housing and Community Development who has enforcement authority for health, safety, and welfare requirements pursuant to the Employee Housing Act (Part 1 (commencing with Section 17000) of Division 13 of the Health and Safety Code); the State Housing Law (Part 1.5 (commencing with Section 17910) of Division 13 of the Health and Safety Code); the Mobilehomes-Manufactured Housing Act (Part 2 (commencing with Section 18000) of Division 13 of the Health and Safety Code); the Mobilehome

Parks Act (Part 2.1 (commencing with Section 18200) of Division 13 of the Health and Safety Code); and the Special Occupancy Parks Act (Part 2.3 (commencing with Section 18860) of Division 13 of the Health and Safety Code).

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to provide a freestanding definition of "code enforcement officer" for purposes of obtaining federal funding for code enforcement purposes, it is necessary that this act take effect immediately.

**Assembly Bill No. 1532**

\_\_\_\_\_  
Passed the Assembly July 1, 2010

\_\_\_\_\_  
*Chief Clerk of the Assembly*

\_\_\_\_\_  
Passed the Senate June 28, 2010

\_\_\_\_\_  
*Secretary of the Senate*

\_\_\_\_\_  
This bill was received by the Governor this \_\_\_\_ day  
of \_\_\_\_\_, 2010, at \_\_\_\_ o'clock \_\_\_\_M.

\_\_\_\_\_  
*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

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

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Approved \_\_\_\_\_, 2010

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*Governor*