

## PROPOSED LEGISLATION

CODE	NUMBER	CONTENTS
Health & Safety	A.B. 735	An act to amend the Health and Safety code to mandate "that every public swimming pool that is required to provide lifeguard services and that charge a direct fee...shall provide on its premises an Automated External Defibrillator (AED) unit. The AED shall be readily available during pool operations. The requirement also includes every K-12 school with a swimming pool onsite." No fiscal impact to the State. Go to <a href="http://leginfo.legislature.ca.gov/">http://leginfo.legislature.ca.gov/</a> to see complete proposal. (AB 735) *Status: ACTIVE. In committee: Set, first hearing. Referred to suspense file. 4/26/17.
Health & Safety	S.B. 432	An act to amend the Health and Safety code to "require all health facilities to notify prehospital emergency care personnel who have provided emergency medical or rescue services who have been exposed to a person afflicted with a disease or condition be notified [directly] that they may have been exposed. The notice would be given immediately upon determining that the person is afflicted..." Go to <a href="http://leginfo.legislature.ca.gov/">http://leginfo.legislature.ca.gov/</a> to see complete proposal. (SB 432) *Status: ACTIVE. From committee: Read second time. Ordered to third reading. 5/9/17.

Proposed California legislation is listed by House number (starting with AB for Assembly or SB for Senate). While an effort is made to keep the site current with the latest version, interested parties are encouraged to review the actual legislation on-line by going to the official site for California legislative information at <http://leginfo.legislature.ca.gov/>. Click on the Bill Information button, enter the bill number and then press search. One can also enter keywords, such as lifeguards, lifesaving, and press search.

## CALIFORNIA LAWS

CODE	NUMBER	CONTENTS
Business and Professions	Section 25620	Amends Section 25620 relating to alcoholic beverages. Prohibits the possession of an open container in an area or unit of a state park if park has posted an order.
Fish and Game	Section 9002 (d) (1)	"...Publicly employed safety personnel, including, but not limited to, lifeguards, marine safety officers, harbor patrol officers, and peace officers, who, while engaged in the performance of their official duties, may remove a trap, buoy, or line located in or near breaking surf or adjacent to a public beach if they believe that the trap poses a public safety hazard. If any of those persons remove a trap, a buoy, or a trap or buoy line, any captured marine life shall be immediately returned to the ocean." (continues with attempt to notify person)
Government	Section 831.7	Added self-contained underwater breathing apparatus (SCUBA) diving to hazardous activities. Public entities and public employees are generally not liable to any person who participates in various hazardous recreational activities, including kayaking, surfing, waterskiing, windsurfing, etc..
Government	Section 53153.5.	False police reports causing emergency responses by public agencies. Liability and compensation are specific.
Government	Section 830	Public property - employee liability, accidents and injury, public access, natural conditions, public easements and accesses, etc.
Government	Section 831.21 (a)	Explains in detail, provisions of this section, including public beaches and natural conditions and the absence of lifeguards therein.
Government	Section 831.7 (a)	Defines "hazardous recreational activity" and the liability thereof when lifeguards are not provided and warning has been given.
Government	Sections 3401, 3402	This bill adds ocean lifeguards to the list of public safety officers eligible to receive the Public Safety Medal of Valor Award and authorize the United States Lifesaving Association to represent ocean lifeguards on the review board. Approved by Governor Sept. 28, 2015. Effective Jan. 1, 2016.
Government	Section 20390	Defines "state peace officer/firefighter member", which includes lifeguards.
Government	Section	Defines "local safety member"...which includes lifeguards and lifesaving services.

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Government	Section 31450	References the "County Employees Retirement Law of 1937, including provisions for employees who become incapacitated by age or long service. Employees are entitled to retirement compensation, death benefit, pension, annuity, or allowance according to the limitations as so described in this section.
Government	Section 31470.6 (a)	In a county with a population in excess of 500,000, its permanent employees as defined in this section (includes lifeguards) are hereby classified as employees whose principal duties consist in "active law enforcement", except for the director, asst. director, and deputy director of beaches (unless they previously were included within the classification).
Harbors and Navigation	Section 523	This bill revises provisions regarding the authorization of the State Lands Commission to remove unattended vessels that obstruct traffic or create a hazard to other vessels or property by allowing the Commission to take immediate action, without notice, to remove vessels and expand the circumstances in which that authority may be exercised. (SB 595)
Harbors and Navigation	Section 525/526	Amends code relating to abandoned vessels on public waterway or public/private property.
Harbors and Navigation	Section 675	This bill would add an additional fee to the required registration fee for vessels. All funds from this fee will be used for eradicating the dreissenid mussel. (AB 2443) Adds Article 1.3 (commencing with Section 675) to Chapter 5 of Division 3.
Health and Safety	Section 1797.117	Provision by state of an EMT centralized registry system, available to the public, with the authority required to submit electronic fingerprints to the Dept. of Justice. (AB 2917)
Health and Safety	Section 1797.270	Each county in the state shall establish an emergency medical care committee, under the county board of supervisors, that will review operations, including emergency medical care and programs of lifesaving first aid techniques, and compile an annual report for the Board and the local EMS agency.
Health and Safety	Section 1797.5	"...local governments, agencies and other organizations shall be encouraged to offer training to assist others at the scene of a medical emergency and to offer training in CPR and lifesaving first aid..."
Health and Safety	Section 116025	Defines public swimming pools and the lifeguard services for public pools, along with requirements for personnel responsible for public safety for such pools, and posting of signs if lifeguard service is not provided.
Labor	Section 3212.11	References compensation awarded for skin cancer injury, including full hospital, surgical, and medical treatment, disability indemnity, and death benefits to active lifeguards who are employed for more than three consecutive months in a calendar year.
Labor	Section 4850	Provides the right to a "leave of absence" for PERS, LA City ERS, or County Employees Retirement Law of 1937...if disabled by injury or illness during performance of duties...without loss of salary in lieu of temporary disability payments or maintenance allowance payments for period not to exceed one year or until earlier date of retirement or permanent disability pension. Includes lifeguards employed year round on a regular, full-time basis by a county of first class.
Labor	Section 4856 (a)	References death on duty and the employer's responsibility to provide health benefits to the surviving spouse or minor dependents.
Penal	Sections 241, 243	This bill expands the scope of the crime of assault against specified public safety officers to include search and rescue members, as defined, while engaged in the performance of their duties, as specified. (SB 390)
<b>New Law!</b> Penal	Section 402 (a)(b)	This bill now includes a person who operates or uses an unmanned aerial vehicle, remote piloted aircraft, or drone and impedes in an emergency operation. It amends the bill to include lifeguards. A person who impedes in the lifeguards' performance of their duties in coping with the emergency is guilty of a misdemeanor. Effective Jan. 1, 2017.
Penal	Section 409.3	References the scene of an accident and the management. Authority for patient care management shall be determined in accordance with Section 1798.6 of the Health and Safety code.
Penal	Section 409.5 (a)	Provides that law and peace officers, including any publicly employed full-time lifeguard or publicly employed full-time marine safety officer while acting in a supervisory position in the performance of his/her official duties, may close an area where a menace (ex.-flood, storm, fire, earthquake, etc.) exists for the duration thereof and prevent persons not authorized by the lifeguard or officer to enter the area. The local health officer may close the area where the menace exists if the calamity creates an immediate menace to public health. Also includes the charge of misdemeanor to anyone, including news service reps, radio or tv networks, who knowingly enters a closed area.
Public Resources	Section 5001	Defines the Dept. of Parks and Recreation and its control of the state park system and includes definitions and operations of the parks and beaches in state areas.
Public Resources	Section 5080.42	This bill authorizes the Department of Parks & Recreation (DPR) to enter into operating agreements with qualified nonprofit organizations to operate a state park unit. (AB 42)
Vehicle	Section	References red lights and sirens on vehicles engaged in police, fire and lifesaving services.

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Vehicle	Section 165	Defines an emergency vehicle, including lifeguard or lifesaving equipment.
Vehicle	Section 165.5	Provides that a rescue team, in resuscitating any person...no act or omission, when operating in conjunction with an emergency vehicle, shall impose any liability upon the rescue team.
Vehicle	Section 2400	References the operation of emergency vehicles.
Vehicle	Section 2416 (a)	Defines emergency vehicle permits for fire or law enforcement or for immediate preservation of life or property or for apprehension of law violators, including lifesaving equipment, and includes the requirement that such vehicles display a sign or lettering.
Vehicle	Section 2418.5	..and such vehicles shall be equipped with a resuscitator.
Vehicle	Section 9853, 9860, 9863	This bill would add an additional fee to the required registration fee for vessels. All funds from this fee will be used for eradicating the dreissenid mussel. ( AB 2443)

This is not a list of laws to be used for the purpose of law enforcement but rather for the operation of lifesaving entities. These excerpts from the various California Codes are placed here for ease of reference. While every effort is made to insure accuracy, the reader is directed to the web site <http://leginfo.legislature.ca.gov/> for the actual text of the statutes. Click on the California Law button and then input the appropriate Code. One can also input keywords, such as lifeguards, lifesaving.