

**ASSEMBLY BILL**

**No. 2349**

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**Introduced by Assembly Member Chen**

February 13, 2018

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An act to amend Section 14502 of the Corporations Code, and to amend Section 22295 of the Penal Code, relating to humane officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 2349, as introduced, Chen. Humane officers: authorization to carry a wooden club or baton.

Existing law authorizes the formation of corporations for the prevention of cruelty to animals under the Nonprofit Public Benefit Corporation Law. Existing law provides for the appointment of humane officers to a humane society or a society for the prevention of cruelty to animals. Under existing law, a humane officer may, among other things, exercise the powers of a peace officer in order to prevent the perpetration of any act of cruelty on an animal and make arrests for penal violations relating to or affecting animals, as specified. Existing law prescribes the powers and qualifications of level 1 and level 2 humane officers. Level 1 humane officers are authorized to carry firearms, subject to specified requirements.

This bill would authorize a humane officer to carry a wooden club or baton, under specified terms and conditions, if he or she is authorized by his or her appointing society, and he or she has satisfactorily completed the course of instruction certified by the Commission on Peace Officer Standards and Training in the carrying and use of the club or baton. The bill would also make other conforming changes.

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 14502 of the Corporations Code is  
2 amended to read:

3 14502. (a) (1) (A) (i) On and after July 1, 1996, no entity,  
4 other than a humane society or society for the prevention of cruelty  
5 to animals, shall be eligible to petition for confirmation of an  
6 appointment of any individual as a humane officer, the duty of  
7 which shall be the enforcement of the laws for the prevention of  
8 cruelty to animals.

9 (ii) On and after July 1, 1996, only a person who meets the  
10 requirements of this section may be appointed as, or perform the  
11 duties of, a humane officer.

12 (iii) Any person appointed as a humane officer prior to July 1,  
13 1996, may continue to serve as a humane officer until the expiration  
14 of the term of appointment only if the appointing society maintains  
15 records pursuant to subparagraph (B) documenting that both the  
16 appointing society and the humane officer meet the requirements  
17 of this section.

18 (B) Each humane society or society for the prevention of cruelty  
19 to animals for which an individual is acting as a humane officer  
20 shall maintain complete and accurate records documenting that  
21 the individual has successfully completed all requirements  
22 established in this section and shall make those records available,  
23 upon request, to the superior court, the Attorney General, or any  
24 entity duly authorized to review that information, including the  
25 State Humane Association of California. The records shall include  
26 the full name and address of each humane officer.

27 (2) The humane society or society for the prevention of cruelty  
28 to animals shall possess insurance of at least one million dollars  
29 (\$1,000,000) for liability for bodily injury or property damage.

30 (3) Each appointment of a humane officer shall be by separate  
31 resolution by the board of directors or trustees of the humane  
32 society or society for the prevention of cruelty to animals duly  
33 entered in its minutes. The resolution shall state the full name and  
34 address of the principal office of the appointing society, the full  
35 name of the person so appointed, the fact that he or she is a citizen  
36 of the State of California, that he or she has met the training  
37 requirements set forth in subdivision (h), and whether he or she is  
38 authorized to carry a weapon pursuant to this section. The

1 resolution shall also designate the number of the badge to be  
2 allotted to the officer, and the date on which the term of office  
3 shall expire.

4 (b) A humane society or a society for the prevention of cruelty  
5 to animals seeking confirmation of a humane officer's appointment  
6 shall comply with each of the following provisions:

7 (1) Prior to filing a Petition for Order Confirming Appointment  
8 of a Humane Officer under paragraph (3), the humane society or  
9 society for the prevention of cruelty to animals shall submit to the  
10 Department of Justice fingerprint images and related information  
11 of all humane officer applicants for the purposes of obtaining  
12 information as to the existence and content of a record of state and  
13 federal convictions and state and federal arrests and also  
14 information as to the existence and content of a record of state and  
15 federal arrests for which the Department of Justice establishes that  
16 the person is free on bail or on his or her own recognizance pending  
17 trial or appeal.

18 (A) When received, the Department of Justice shall forward to  
19 the Federal Bureau of Investigation requests for federal summary  
20 criminal history information received pursuant to this section. The  
21 Department of Justice shall review the information returned from  
22 the Federal Bureau of Investigation and compile and disseminate  
23 a fitness determination regarding the humane officer applicants to  
24 the humane society or society for the prevention of cruelty to  
25 animals.

26 (B) The Department of Justice shall provide a state response to  
27 the humane society or society for the prevention of cruelty to  
28 animals pursuant to paragraph (1) of subdivision (p) of Section  
29 11105 of the Penal Code.

30 (C) The humane society or society for the prevention of cruelty  
31 to animals shall request from the Department of Justice subsequent  
32 arrest notification service, as provided pursuant to Section 11105.2  
33 of the Penal Code, for persons whose appointments are confirmed  
34 as described in subdivision (c).

35 (D) The Department of Justice shall charge a fee sufficient to  
36 cover the cost of processing the request described in this paragraph.

37 (2) When filing a Petition for Order Confirming Appointment  
38 of a Humane Officer under paragraph (3), the humane society or  
39 society for the prevention of cruelty to animals shall serve a copy  
40 of the petition on each of the following:

- 1 (A) The police department having jurisdiction in the city in  
2 which the principal office of the appointing society is located.
- 3 (B) The sheriff's department having jurisdiction in the county  
4 in which the principal office of the appointing society is located.
- 5 (C) The Department of the California Highway Patrol.
- 6 (D) The State Humane Association of California.
- 7 (E) The animal control agency having jurisdiction in the city in  
8 which the principal office of the appointing society is located. If  
9 the sheriff's department or police department entitled to notice  
10 under subparagraph (A) or (B) provides animal control services  
11 for the city in which the principal office of the appointing society  
12 is located, no separate notice is required under this subparagraph.
- 13 (F) The Department of Justice.
- 14 (3) The humane society or society for the prevention of cruelty  
15 to animals shall file with the superior court in and for the county  
16 or city and county in which the principal office of the humane  
17 society is located a Petition for Order Confirming Appointment  
18 of a Humane Officer, and shall attach to the petition all of the  
19 following:
- 20 (A) A copy of the resolution appointing the person, duly certified  
21 to be correct by the president and secretary of the society and  
22 attested by its seal.
- 23 (B) A copy of the criminal record offender information, if any,  
24 obtained regarding the person pursuant to paragraph (1).
- 25 (C) Proof of the society's proper incorporation in compliance  
26 with Part 9 (commencing with Section 10400) of Division 2,  
27 including the date the articles of incorporation were filed with the  
28 Secretary of State.
- 29 (D) A copy of the society's liability insurance policy for bodily  
30 injury or property damage in the amount of at least one million  
31 dollars (\$1,000,000).
- 32 (E) Documentation establishing that the appointee has  
33 satisfactorily completed the training requirements set forth in this  
34 section.
- 35 (F) Documentation establishing that the society has a written  
36 agreement with another entity, such as a public or private animal  
37 shelter or licensed veterinary clinic, that (i) provides for the humane  
38 care and treatment of any animals seized by the society, (ii) is  
39 capable of preserving evidence that may be used to prosecute an  
40 animal cruelty case, and (iii) is compliant with all applicable

1 federal, state, and local laws, including licensing laws.  
2 Alternatively, the society may provide documentation that it is  
3 operating its own animal shelter that meets the requirements of  
4 clauses (i), (ii), and (iii).

5 (G) If the society has not previously appointed a humane officer:

6 (i) An affidavit signed under penalty of perjury from the  
7 president of the society that demonstrates the society's competence  
8 to appoint a humane officer by providing information, including,  
9 but not limited to, the following:

10 (I) Partnerships or collaborations, if any, with other nonprofit  
11 or community agencies.

12 (II) Cash reserve on hand, if any, to pay for veterinary expenses,  
13 housing, food, and care of seized animals.

14 (III) Established donor base, if any.

15 (IV) Current or prior law enforcement, legal, or other relevant  
16 experience, if any, of persons who will supervise the appointee.

17 (V) Current or prior experience of managers, if any, in operating  
18 a society or other nonprofit organization.

19 (VI) Statement that each board member is in good standing in  
20 the community and has not been convicted of a misdemeanor or  
21 felony involving animals.

22 (VII) Ongoing training beyond the minimum required for  
23 appointment of the humane officer, if any.

24 (VIII) The need for a humane officer in the society's county.

25 (IX) Any other documentation demonstrating compliance with  
26 applicable federal, state, or local laws.

27 (ii) Affidavits, if any, from personnel of local animal control  
28 agencies, law enforcement agencies, or other societies pertaining  
29 to the appointee's fitness to act as a humane officer.

30 (H) As the last page, proof of service of a copy of the petition  
31 upon those parties required to be served.

32 (4) Any party described in paragraph (2) may file an opposition  
33 to the petition described in paragraph (3). All papers filed in  
34 opposition to the petition and in reply to the opposition shall  
35 conform to law and motion pleading requirements, pursuant to  
36 Rule 3.1113(d) of the California Rules of Court. An opposition  
37 shall not exceed 15 pages and a reply shall not exceed 10 pages,  
38 excluding exhibits and declarations. The opposition shall be limited  
39 to the competency of the society to appoint and supervise a humane

1 officer and the qualifications, background, and fitness of the  
2 appointee that are specific to the work of a humane officer.

3 (A) Any opposition shall be filed no later than 15 court days  
4 after the petition is filed with the court. Any opposition shall be  
5 served on all parties indicated on the proof of service attached to  
6 the petition.

7 (B) The petitioner’s reply, if any, to the opposition shall be filed  
8 within 10 court days after service of the opposition. The reply shall  
9 be served on all parties listed in the proof of service attached to  
10 the petition and to any other person who has filed an opposition.

11 (C) The court shall rule on the petition without a hearing unless  
12 the court notifies the parties of an intention to hold a hearing.

13 (D) The petitioner shall serve a certified copy of the court’s  
14 order ruling on the petition on all parties listed in the proof of  
15 service attached to the petition and to any other person or entity  
16 who has filed an opposition.

17 (c) (1) Upon receipt of the Petition for Order Confirming  
18 Appointment of a Humane Officer, the court shall first determine  
19 the society’s date of incorporation, and the length of time between  
20 the date the society filed its articles of incorporation with the  
21 Secretary of State and the date it filed the petition described in  
22 paragraph (3) of subdivision (b) with the court. If the society was  
23 incorporated on or after January 1, 2011, then the following shall  
24 apply:

25 (A) For a petition to confirm appointment of a level 1 humane  
26 officer, the court shall issue an order denying confirmation of the  
27 appointment if a minimum of five years has not elapsed from the  
28 date the society filed its articles of incorporation with the Secretary  
29 of State to the date it filed the petition.

30 (B) For a petition to confirm appointment of a level 2 humane  
31 officer, the court shall issue an order denying confirmation of the  
32 appointment if a minimum of one year has not elapsed from the  
33 date the society filed its articles of incorporation with the Secretary  
34 of State to the date it filed the petition.

35 (C) For a petition to confirm appointment of either a level 1 or  
36 level 2 humane officer, the court shall issue an order denying  
37 confirmation of the appointment if the society has not established,  
38 through submission of appropriate documentation, that the society  
39 is either operating its own animal shelter or has a written agreement

1 with another entity, in compliance with subparagraph (F) of  
2 paragraph (3) of subdivision (b).

3 (2) If the court has not issued an order denying the petition  
4 pursuant to paragraph (1), then the court shall review the matter  
5 of the appointee's qualifications and fitness to act as a humane  
6 officer. The court shall also consider any documentation it has  
7 received in support of, or in opposition to, the confirmation of the  
8 person's appointment. If the court finds that the appointee is  
9 qualified and fit to act as a humane officer, the court shall issue  
10 an order confirming the appointment. The society shall thereupon  
11 file a certified copy of the court order in the office of the county  
12 clerk of the county or city and county in which the court is located.  
13 The appointee shall, at the same time, take and subscribe the oath  
14 of office prescribed for constables or other peace officers. The  
15 society shall also provide a copy of the Order Confirming  
16 Appointment to the State Humane Association of California and  
17 the Department of Justice. The Department of Justice may charge  
18 a reasonable fee sufficient to cover the costs of maintaining records  
19 of Orders Confirming Appointment. If the court does not find the  
20 appointee qualified and fit to act as a humane officer, the court  
21 shall issue an order denying confirmation of the appointment.

22 (d) If the court grants the petition, the county clerk shall  
23 immediately enter in a book to be kept in his or her office and  
24 designated "Record of Humane Officers" the name of the officer,  
25 the name of the society appointing him or her, the number of his  
26 or her badge, the date of the filing, and the case number of the  
27 court order confirming the appointment. At the time of the filing,  
28 the county clerk shall collect from the society a fee of five dollars  
29 (\$5), which shall be full payment for all services to be performed  
30 by the county clerk under this section.

31 (e) All appointments of humane officers shall automatically  
32 expire if the society disbands or legally dissolves.

33 (f) (1) The society appointing an officer may revoke an  
34 appointment at any time by filing in the office of the county clerk  
35 in which the appointment of the officer is recorded a copy of the  
36 revocation in writing under the letterhead of the society and duly  
37 certified by its executive officer. Upon the filing the county clerk  
38 shall enter the fact of the revocation and the date of the filing  
39 thereof opposite the name of the officer in the record of humane  
40 officers.

1 (2) Notwithstanding paragraph (1), any duly authorized sheriff  
2 or local police agency or the State Humane Association of  
3 California may initiate a revocation hearing by filing a petition to  
4 Revoke Appointment of a Humane Officer. The petition shall show  
5 cause why an appointment should be revoked and shall be made  
6 to the superior court in the jurisdiction of the appointment. Filing,  
7 service, and format of the petition and any oppositions and reply  
8 papers shall conform to the law and motion requirements under  
9 the Code of Civil Procedure, California Rules of Court, and this  
10 code. A proceeding pursuant to this paragraph shall be a special  
11 proceeding within the meaning of Section 23 of the Code of Civil  
12 Procedure.

13 (A) Notice of the hearing date and a copy of the petition shall  
14 be served in the same manner as a summons upon the humane  
15 officer subject to the petition, the society that appointed the officer,  
16 the agencies and association described in paragraph (2) of  
17 subdivision (b); except the party filing the petition shall not be  
18 required to serve copies of those documents upon itself.

19 (B) Upon a finding of good cause, the court shall issue an order  
20 granting the petition to revoke the appointment. The county clerk  
21 shall immediately enter the revocation and the date of the court  
22 order opposite the name of the officer in the record of humane  
23 officers. The clerk of the superior court shall give notice of the  
24 order to the parties described in subparagraph (A) and to the county  
25 clerk-recorder.

26 (g) The society appointing the humane officer shall pay the  
27 training expenses of the humane officer attending the training  
28 required pursuant to this section.

29 (h) (1) (A) A level 1 humane officer is not a peace officer, but  
30 may exercise the powers of a peace officer at all places within the  
31 state in order to prevent the perpetration of any act of cruelty upon  
32 any animal and to that end may summon to his or her aid any  
33 bystander. A level 1 humane officer may use reasonable force  
34 necessary to prevent the perpetration of any act of cruelty upon  
35 any animal.

36 (B) A level 1 humane officer may make arrests for the violation  
37 of any penal law of this state relating to or affecting animals in the  
38 same manner as any peace officer and may serve search warrants.

39 (C) A level 1 humane officer is authorized to carry firearms  
40 while exercising the duties of a humane officer, upon satisfactory



1 completion of the training specified in subparagraph (D), if the  
2 requirements in subparagraph (F) are met.

3 (D) A level 1 humane officer shall, prior to appointment,  
4 provide evidence satisfactory to the appointing society that he or  
5 she has successfully completed the following requirements:

6 (i) At least 20 hours of a course of training in animal care  
7 sponsored or provided by an accredited postsecondary institution  
8 or any other provider approved by the California Veterinary  
9 Medical Association the focus of which shall be the identification  
10 of disease, injury, and neglect in domestic animals and livestock.

11 (ii) At least 40 hours of a course of training in the state humane  
12 laws relating to the powers and duties of a humane officer,  
13 sponsored or provided by an accredited postsecondary institution,  
14 law enforcement agency, or the State Humane Association of  
15 California.

16 (iii) The basic training for a level 1 reserve officer by the  
17 Commission on Peace Officer Standards and Training pursuant to  
18 paragraph (1) of subdivision (a) of Section 832.6 of the Penal  
19 Code.

20 (E) A person shall not be appointed as a level 1 humane officer  
21 until he or she meets the criteria in Sections 1029, 1030, and 1031  
22 of the Government Code. A humane society or society for the  
23 prevention of cruelty to animals shall complete a background  
24 investigation, using standards defined by the Commission on Peace  
25 Officer Standards and Training as guidelines for all level 1 humane  
26 officer appointments.

27 (F) (i) Notwithstanding any other provision of this section, a  
28 level 1 humane officer may carry a firearm only if authorized by,  
29 and only under the terms and conditions specified by, his or her  
30 appointing society.

31 (ii) Notwithstanding any other provision of this section, a level  
32 1 humane officer shall not be authorized to carry a firearm unless  
33 and until his or her appointing society has adopted a policy on the  
34 use of deadly force by its officers and the officer has been  
35 instructed in that policy.

36 (2) (A) A level 2 humane officer is not a peace officer, but may  
37 exercise the powers of a peace officer at all places within the state  
38 in order to prevent the perpetration of any act of cruelty upon any  
39 animal and to that end may summon to his or her aid any bystander.

1 A level 2 humane officer may use reasonable force necessary to  
2 prevent the perpetration of any act of cruelty upon any animal.

3 (B) A level 2 humane officer may make arrests for the violation  
4 of any penal law of this state relating to or affecting animals in the  
5 same manner as any peace officer and may serve search warrants  
6 during the course and within the scope of appointment, upon the  
7 successful completion of a course relating to the exercise of the  
8 police powers specified in Section 832 of the Penal Code, except  
9 the power to carry and use firearms.

10 (C) A level 2 humane officer is not authorized to carry firearms.

11 (D) A level 2 humane officer shall, prior to appointment, provide  
12 evidence satisfactory to the appointing society that he or she has  
13 successfully completed courses of training in the following  
14 subjects:

15 (i) At least 20 hours of a course of training in animal care  
16 sponsored or provided by an accredited postsecondary institution  
17 or any other provider approved by the California Veterinary  
18 Medical Association, the focus of which is the identification of  
19 disease, injury, and neglect in domestic animals and livestock.

20 (ii) At least 40 hours of a course of training in the state humane  
21 laws relating to the powers and duties of a humane officer,  
22 sponsored or provided by an accredited postsecondary institution,  
23 law enforcement agency, or the State Humane Association of  
24 California.

25 (E) A person shall not be appointed as a level 2 humane officer  
26 until he or she meets the criteria in Sections 1029, 1030, and 1031  
27 of the Government Code. A humane society or society for the  
28 prevention of cruelty to animals shall complete a background  
29 investigation, using standards defined by the Commission on Peace  
30 Officer Standards and Training as guidelines, for all level 2 humane  
31 officer appointments.

32 (3) During each three-year period following the date on which  
33 the certified copy of the court order confirming the appointment  
34 of a humane officer was filed with the county clerk, the humane  
35 officer shall complete 40 hours of continuing education and training  
36 relating to the powers and duties of a humane officer, which  
37 education and training shall be sponsored or provided by an  
38 accredited postsecondary institution, law enforcement agency, or  
39 the State Humane Association of California. A certificate of  
40 compliance shall be served no later than 21 days after the expiration

1 of each three-year period on the Department of Justice with copies  
2 served on the superior court, agencies, and associations described  
3 in subparagraphs (A) through (E) of paragraph (2) of subdivision  
4 (b). The Department of Justice may charge a reasonable fee  
5 sufficient to cover the costs of maintaining records of certificates  
6 of compliance. The certificate of compliance shall also include  
7 documentation that the humane society or society for the prevention  
8 of cruelty to animals is in compliance with subparagraph (F) of  
9 paragraph (3) of subdivision (b). Service on the Department of  
10 Justice shall be in compliance with procedures set forth by the  
11 Department of Justice. The Department of Justice shall post the  
12 filing procedures, as they may be updated from time to time, on  
13 its Internet Web site. Failure to file the certificate of compliance  
14 with the Department of Justice no later than 21 days after the  
15 expiration of a three-year period shall result in immediate  
16 revocation of the appointment.

17 (4) If the humane officer is authorized to carry a firearm, he or  
18 she shall complete ongoing weapons training and range  
19 qualifications at least every six months pursuant to subdivision (t)  
20 of Section 830.3 of the Penal Code. A certificate of compliance  
21 pursuant to this section shall be served no later than 21 days after  
22 the expiration of a six-month period on the Department of Justice  
23 with copies served on the superior court, and on the agencies and  
24 associations described in subparagraphs (A) through (E) of  
25 paragraph (2) of subdivision (b). The Department of Justice may  
26 charge a reasonable fee sufficient to cover the costs of maintaining  
27 records of certificates of compliance. The certificate of compliance  
28 shall also include documentation that the humane society or society  
29 for the prevention of cruelty to animals is in compliance with  
30 subparagraph (F) of paragraph (3) of subdivision (b). Service on  
31 the Department of Justice shall be in compliance with procedures  
32 set forth by the Department of Justice. The Department of Justice  
33 shall post the filing procedures, as they may be updated from time  
34 to time, on its Internet Web site. Failure to file the certificate of  
35 compliance with the Department of Justice no later than 21 days  
36 after the expiration of a six-month period shall result in immediate  
37 revocation of the appointment.

38 (5) (A) *A humane officer may carry a wooden club or baton if*  
39 *he or she has satisfactorily completed the course of instruction*  
40 *certified by the Commission on Peace Officer Standards and*

1 *Training in the carrying and use of the club or baton pursuant to*  
2 *subdivision (g) of Section 22295 of the Penal Code.*

3 *(B) Notwithstanding subparagraph (A), a humane officer may*  
4 *carry a wooden club or baton only if authorized by, and only under*  
5 *the terms and conditions specified by, his or her appointing society.*

6 (i) Every humane officer shall, when making an arrest, exhibit  
7 and expose a suitable badge to be adopted by the society under  
8 this part of which he or she is an appointee which shall bear its  
9 name and a number. Uniforms worn by humane officers shall  
10 prominently display the name of the appointing society. Humane  
11 officer uniforms shall not display the words “state” or “California,”  
12 except to the extent that one or both of those words are part of the  
13 appointing society’s incorporated name.

14 (j) Any person resisting a humane officer in the performance  
15 of his or her duty as provided in this section is guilty of a  
16 misdemeanor. Any person who has not been appointed and  
17 qualified as a humane officer as provided in this section, or whose  
18 appointment has been revoked as provided in this section, or whose  
19 appointment, having expired, has not been renewed as provided  
20 in this section, who shall represent himself or herself to be or shall  
21 attempt to act as an officer shall be guilty of a misdemeanor.

22 (k) No humane officer shall serve a search warrant without  
23 providing prior notice to local law enforcement agencies operating  
24 within that jurisdiction.

25 (l) Any humane society, society for the prevention of cruelty to  
26 animals, or person, who knowingly provides a court with false or  
27 forged documentation for the appointment of a humane officer, is  
28 guilty of a misdemeanor and shall be punished by a fine of up to  
29 ten thousand dollars (\$10,000).

30 (m) Except as otherwise provided by this section, a humane  
31 officer shall serve only in the county in which the court that  
32 appointed him or her sits. A humane officer may serve in another  
33 county if the humane officer gives notice requesting consent to  
34 the sheriff of the county in which he or she intends to serve, and  
35 acquires consent from that sheriff of the county in which he or she  
36 intends to serve, or from a person authorized by the sheriff to give  
37 that consent. A sheriff shall promptly respond to any request by a  
38 humane officer to serve in his or her jurisdiction and any request  
39 shall not be unreasonably denied.

40 SEC. 2. Section 22295 of the Penal Code is amended to read:

1 22295. (a) Nothing in any provision listed in Section 16580  
2 prohibits any police officer, special police officer, peace officer,  
3 or law enforcement officer from carrying any wooden club or  
4 baton.

5 (b) Nothing in any provision listed in Section 16580 prohibits  
6 a uniformed security guard, regularly employed and compensated  
7 by a person engaged in any lawful business, while actually  
8 employed and engaged in protecting and preserving property or  
9 life within the scope of employment, from carrying any wooden  
10 club or baton if the uniformed security guard has satisfactorily  
11 completed a course of instruction certified by the Department of  
12 Consumer Affairs in the carrying and use of the club or baton. The  
13 training institution certified by the Department of Consumer Affairs  
14 to present this course, whether public or private, is authorized to  
15 charge a fee covering the cost of the training.

16 (c) The Department of Consumer Affairs, in cooperation with  
17 the Commission on Peace Officer Standards and Training, shall  
18 develop standards for a course in the carrying and use of a club or  
19 baton.

20 (d) Any uniformed security guard who successfully completes  
21 a course of instruction under this section is entitled to receive a  
22 permit to carry and use a club or baton within the scope of  
23 employment, issued by the Department of Consumer Affairs. The  
24 department may authorize a certified training institution to issue  
25 permits to carry and use a club or baton. A fee in the amount  
26 provided by law shall be charged by the Department of Consumer  
27 Affairs to offset the costs incurred by the department in course  
28 certification, quality control activities associated with the course,  
29 and issuance of the permit.

30 (e) Any person who has received a permit or certificate that  
31 indicates satisfactory completion of a club or baton training course  
32 approved by the Commission on Peace Officer Standards and  
33 Training prior to January 1, 1983, shall not be required to obtain  
34 a club or baton permit or complete a course certified by the  
35 Department of Consumer Affairs.

36 (f) Any person employed as a county sheriff's or police security  
37 officer, as defined in Section 831.4, shall not be required to obtain  
38 a club or baton permit or to complete a course certified by the  
39 Department of Consumer Affairs in the carrying and use of a club  
40 or baton, provided that the person completes a course approved

1 by the Commission on Peace Officer Standards and Training in  
2 the carrying and use of the club or baton, within 90 days of  
3 employment.

4 (g) Nothing in any provision listed in Section 16580 prohibits  
5 an animal control officer, as described in Section 830.9, *a humane*  
6 *officer, as described in paragraph (5) of subdivision (h) of Section*  
7 *14502 of the Corporations Code*, or an illegal dumping  
8 enforcement officer, as described in Section 830.7, from carrying  
9 any wooden club or baton if the animal control ~~officer~~ *officer,*  
10 *humane officer,* or illegal dumping enforcement officer has  
11 satisfactorily completed the course of instruction certified by the  
12 Commission on Peace Officer Standards and Training in the  
13 carrying and use of the club or baton. The training institution  
14 certified by the Commission on Peace Officer Standards and  
15 Training to present this course, whether public or private, is  
16 authorized to charge a fee covering the cost of the training.