

ASSEMBLY BILL

No. 685

Introduced by Assembly Member Achadjian

February 21, 2013

An act to amend Section 10334 of the Public Contract Code, relating to state goods.

LEGISLATIVE COUNSEL'S DIGEST

AB 685, as introduced, Achadjian. State goods: peace officer's is state-issued handgun: spouse.

Existing law authorizes a peace officer who has been duly retired through a service retirement or a peace officer retiring from a job-incurred disability to be authorized by the person's department head to purchase his or her state-issued handgun, as specified.

This bill would provide that the spouse of a peace officer who has died in the line of duty may be authorized by his or her spouse's department head to purchase his or her state-issued handgun, as specified.

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 10334 of the Public Contract Code is
2 amended to read:
3 10334. (a) No state employee shall acquire any goods from
4 the state, unless the goods are offered to the general public in the
5 regular course of the state's business on the same terms and
6 conditions as those applicable to the employee. "State employee,"

1 as used in this section, means any employee of the state included
2 within Section 82009 of the Government Code, and all officers
3 and employees included within Section 4 of Article VII of the
4 California Constitution, except those persons excluded from the
5 definition of “designated employee” under the last paragraph of
6 Section 82019 of the Government Code.

7 (b) Notwithstanding subdivision (a), any peace officer as defined
8 in Chapter 4.5 (commencing with Section 830) of Title 3 of Part
9 2 of the Penal Code, employed by the State of California for a
10 period of more than 120 months who has been duly retired through
11 a service retirement or a peace officer retiring from a job-incurred
12 disability not related to a mental or emotional disorder and who
13 has been granted the legal right to carry a concealed firearm
14 pursuant to Article 2 (commencing with Section 25450) of Chapter
15 2 of Division 5 of Title 4 of Part 6 of the Penal Code may be
16 authorized by the person’s department head to purchase his or her
17 state-issued handgun. Disability retired peace officers need not
18 meet the 120-month employment requirement. The cost of the
19 handgun shall be the fair market value as listed in the annual Blue
20 Book of Gun Values or replacement cost, whichever is less, of the
21 handgun issued as determined by the appointing power, plus a
22 charge for the cost of handling. The retiring officer shall request
23 to purchase his or her handgun in writing to the department within
24 30 calendar days of his or her retirement date.

25 (c) Notwithstanding subdivision (a), any peace officer described
26 in Chapter 4.5 (commencing with Section 830) of Title 3 of Part
27 2 of the Penal Code employed by the State of California who is
28 authorized to carry firearms may purchase his or her state-issued
29 service firearm if the person’s department head directs the
30 department to change its state-issued service weapon system. The
31 cost of the service firearm shall be the fair market value as listed
32 in the annual Blue Book of Gun Values or replacement cost,
33 whichever is less, of the firearm issued as determined by the
34 department head, plus a charge for the cost of handling. The
35 requesting officer shall request to purchase his or her firearm in
36 writing to the department within 10 calendar days of receiving the
37 new state-issued weapon.

38 (d) *Notwithstanding subdivision (a), the spouse of a peace officer*
39 *as defined in Chapter 4.5 (commencing with Section 830) of Title*
40 *3 of Part 2 of the Penal Code who was employed by the State of*

1 *California and who died in the line of duty, may be authorized by*
2 *his or her spouse's department head to purchase his or her*
3 *state-issued handgun. The cost of the handgun shall be the fair*
4 *market value of the handgun as listed in the annual Blue Book of*
5 *Gun Values or replacement cost, whichever is less, as determined*
6 *by the appointing power, plus a charge for the cost of handling.*
7 *The spouse shall request to purchase the handgun in writing to*
8 *the department within 30 calendar days of his or her spouse's*
9 *death.*

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