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**AB-1489 Peace officers.** (2025-2026)

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AMENDED IN ASSEMBLY APRIL 22, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

**ASSEMBLY BILL**

**NO. 1489**

Introduced by Assembly Member Bryan

February 21, 2025

An act to add Section 13667 to the Penal Code, relating to peace officers.

**LEGISLATIVE COUNSEL'S DIGEST**

AB 1489, as amended, Bryan. Peace officers.

Existing law defines persons who are peace officers and the entities authorized to appoint them. Existing law prescribes certain minimum standards for a person to be appointed as a peace officer, including moral character and physical and mental condition, and certain disqualifying factors for a person to be employed as a peace officer, including a felony conviction.

This bill would require a law enforcement agency ~~that issues a firearm to a peace officer it employs~~ *that employs a peace officer* to have a policy prohibiting that officer from carrying ~~the firearm issued by the agency with~~ *any firearm when the officer has* a blood alcohol concentration greater than 0.00%, whether the officer is on duty or off ~~duty~~ *duty, unless the officer is on duty and engaged in an undercover assignment in the course of their employment as a peace officer*. By imposing new duties on local law enforcement, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

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

**SECTION 1.** Section 13667 is added to the Penal Code, to read:

**13667.** (a) As used in this section, "carry" means to have direct physical control of or be physically connected to a firearm, including, but not limited to, when it is in a holster and that ~~holster~~ *holster* is affixed to an individual's person.

(b) A law enforcement agency that ~~issues a firearm to a peace officer it~~ employs *a peace officer* shall have a policy prohibiting that peace officer from carrying ~~the firearm issued by the agency with~~ *a firearm when the officer has* a blood alcohol concentration greater than 0.00 percent, whether the officer is on duty or off duty.

*(c) This section does not apply to an officer who is on duty and engaged in an undercover assignment in the course of their employment as a peace officer.*

**SEC. 2.** If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.