

11-17 - 2012 Legislative Update

Los Angeles County Sheriff's Department

NEWSLETTER

Field Operations Support Services, (323) 890-5411



2012 Legislative Update

The following is a brief summary of selected law-enforcement-related legislative changes that may affect the Field Operations Regions. Changes take effect January 1, 2012, unless otherwise noted. This summary is intended as a quick reference source and is, therefore, limited to changes that are of widespread interest and effect. It does not include every legislative change affecting law enforcement. Prior to initiating law enforcement activity based on the information in this newsletter, the text of the statute and the Department Policy and Procedures Manual should be reviewed.

A more comprehensive listing of new 2012 legislation and case decisions is available on the LASD intranet home page under the "Library" tab, "Legal Source Book" or "California Codes."

BUSINESS AND PROFESSIONS CODE

§23394.7 (Added): Self-Serve Checkout Stands in Retail Stores and Alcohol

This section was added to prohibit alcohol sales in self-serve checkout stands at retail stores.

CIVIL CODE

§1714 (Amended): Social Host Liability

This section was amended to allow a civil claim against an adult who provides alcohol at their residence to a person whom he or she knows or should have known to be under 21 years of age.

HEALTH & SAFETY CODE

§11111 (Added): Sale of Dextromethorphan without Prescription

This section was added to require retailers to use a cash register equipped with an age-verification feature. This will force retailers to monitor the sale of over-the-counter sales of dextromethorphan and verify the age of

the buyer to be at least 18 years of age.

§11357.5 (Added): Sale or Distribution of Synthetic Cannabinoid Compound

This section was added to make it a misdemeanor to sell or distribute synthetic cannabinoid compound. This section also defines the five chemical compounds that are considered synthetic cannabinoid compound.

PENAL CODE

§136.2 (Amended): Restraining Order - Convicted of Domestic Violence

This section was amended to allow the court to issue a restraining order restraining a defendant convicted of domestic violence regardless of whether the sentence includes prison, jail, and/or probation. This restraining order may be valid up to ten years.

§273.5 (Amended): Traumatic Condition - Strangulation or Suffocation

This section was amended to include in the definition of “traumatic condition” injuries that are a result of strangulation or suffocation. Strangulation and suffocation are now legally defined as impeding the normal breathing or circulation of the blood of a person by applying pressure on the throat or neck.

§487j (Added): Theft of Copper Materials

This section was added to make theft of copper materials (including copper wire, copper cable, copper tubing, and copper piping) with a value exceeding \$950 a grand theft.

§4576 (Added): Cellular telephones, Wireless Communication Device or Component in Prisons

This section was added to make it a misdemeanor for someone to possess any cellular telephone, wireless communication device or component (including SIM cards) with the **intent** to deliver, or deliver, to an inmate/ward while in a prison.

VEHICLE CODE

§395.5 (Amended): Mobile Billboards

This section was amended to include a mobile billboard that is attached to a “device or bicycle.”

§21460 (Amended): Double Yellow/White Lines

This section was amended to include crossing parallel solid white lines. The freeway HOV lanes will use parallel solid white lines.

§22511.1 (Amended): Electric Vehicles

This section was amended to specify that an electric vehicle, parked in a designated electric stall or space, must be connected (plugged in) for electric charging purposes.

§2700 (Amended): Backup Alarms on Construction Vehicles

This section was amended to require construction vehicles, such as concrete mixer trucks, transfer trucks, and some tractor trailer trucks, to have an audible backup alarm that can be heard from a distance of not less than 200 feet.

§27360 (Amended): Child Passenger Restraint

This section was amended to raise the age limit of a child who must be secured in a child passenger restraint system to under eight years of age with the exception of a child under eight years of age who is four feet nine inches in height or taller (§27363).

Note: §27363 also provides exceptions allowing a child passenger restraint system to be placed in the front seat of a vehicle.

Although the new weapons law changes (SB 1080) were signed into law in 2010, they go into effect January 1, 2012. Please refer to Newsletter 11-16, Reorganization of the Weapons Laws Within the Penal Code and the Deputy Conversion Chart, for information. In addition, AB 144 was signed into law which makes it a misdemeanor to openly carry an unloaded handgun under certain circumstances. Please refer to the revised Newsletter 09-01, Openly Carried Firearms Other Than Handguns, and Newsletter 11-18, Openly Carried Handguns, for information.

Information regarding the content of this newsletter may be directed to Field Operations Support Services.
