

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, ACCEPTING WORKERS' COMPENSATION COVERAGE FOR OFF-DUTY, OUT-OF-STATE PEACE OFFICERS INJURIES PURSUANT TO ASSEMBLY BILL NO. 1749.

WHEREAS, the CSAC-Excess Insurance Authority (CSAC-EIA) has determined that it is necessary for each member of CSAC-EIA to adopt a Resolution accepting workers' compensation coverage for off-duty, out-of-state peace officer injuries pursuant to Assembly Bill No. 1749;

WHEREAS, the Resolution adopts the new language addition to California Labor Code Section 3600.2(b) as follows:

“(b) Nothing in this section shall be deemed to:

(4) Preclude an employer, at its discretion or in accordance with written policies adopted by City Resolution from accepting liability for compensation under this division for an injury sustained by a peace officer by reason of engaging in the apprehension, or attempted apprehension, of law violators, or protection or preservation of life or property, or the preservation of the peace, outside the state of California, but who was not at the time acting under the immediate direction of his or her employer, including any claims for injuries sustained during the October 1, 2017 mass shooting in Las Vegas, Nevada, if the employer determines that providing compensation serves the public purposes of the employer. For claims filed pursuant to this paragraph by peace officers for injuries sustained during the October 1, 2017 mass shooting in Las Vegas, Nevada, the date of injury for purposes of subdivision (a) of Section 5405 shall be deemed the operative date of the act adding this paragraph. Acceptance of liability under this subdivision shall not affect the determination of whether or not the peace officer acted within the scope of her or her employment for any other purpose.”

NOW THEREFORE, the City Council hereby finds, determines, and resolves as follows:

SECTION 1. The City Council hereby adopts the new language addition to California Labor Code Section 3600.2(b), thereby accepting workers' compensation coverage, where applicable, for off-duty, out-of-state peace officer injuries pursuant to Assembly Bill No. 1749.

SECTION 2. The Mayor shall sign the passage and adoption of this Resolution and thereupon the same shall take effect and be in force.

PASSED, APPROVED AND ADOPTED this _____ day of May, 2019.

DEBORAH ROBERTSON, MAYOR

ATTEST:

BARBARA MCGEE, CITY CLERK

APPROVED AS TO FORM:

FRED GALANTE, CITY ATTORNEY

1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF RIALTO)
4

5 I, BARBARA MCGEE, City Clerk of the City of Rialto, do hereby certify that the
6 foregoing Resolution No. _____ was duly passed and adopted at a regular meeting of the
7 City Council of the City of Rialto held on the _____ day of _____, 2019.

8 Upon motion of Councilmember _____, seconded by Councilmember
9 _____, the foregoing Resolution No. _____ was duly passed and adopted.

10 Vote on the motion:

11 AYES:

12 NOES:

13 ABSENT:

14 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City
15 of Rialto this _____ day of _____, 2019.

16
17
18 _____
19 BARBARA MCGEE, CITY CLERK
20
21
22
23
24
25
26
27
28