

RESOLUTION OF THE BOARD OF SUPERVISORS OF  
ORANGE COUNTY, CALIFORNIA  
September 10, 2019

WHEREAS, AB 1749 was signed by the Governor on September 23, 2018; and

WHEREAS, AB 1749 amended Section 3600.2 of the Labor Code, effective January 1, 2019, giving a county, among others, the discretion to adopt written policies by resolution to accept workers' compensation liability for an out-of-state injury sustained by their peace officer employees, as defined in Section 50920 of the Government Code, by reason of engaging in the apprehension or attempted apprehension of law violators or suspected law violators, or protection or preservation of life or property, or the preservation of the peace, but who was not at the time acting under the immediate direction of his or her employer, if the county determines that providing compensation serves the public purposes of the county.

WHEREAS, Section 50920 of the Government Code defines a peace officer as including a sheriff, undersheriff, and deputy sheriff of a county;

WHEREAS, providing workers' compensation for an out-of-state injury sustained by the Orange County Sheriff, Undersheriff, or Sheriff Deputy by reason of engaging in the apprehension or attempted apprehension of law violators or suspected law violators, or protection or preservation of life or property, or the preservation of the peace at or during a domestic terrorism event, as defined in Title 18 of the United States Code, Section 2331, but who was not at the time acting under the immediate direction of his or her employer, serves the public purposes of the County.

NOW, THEREFORE, BE IT RESOLVED that it is the policy of this County that, effective upon the date of this Resolution, a peace officer employee as defined by Government Code section 50920 who sustains an out-of-state injury by reason of engaging in the apprehension or attempted apprehension of law violators or suspected law violators during a domestic terrorism event, or protection or preservation of life or property during a domestic terrorism event, or the preservation of the peace at or during a domestic terrorism event, as defined in Title 18 of the United States Code, Section 2331, but who was not at the time acting under the immediate direction of his or her employer, shall be afforded workers' compensation benefits in accordance with Division 4 of the California Labor Code.

BE IT FURTHER RESOLVED that the aforementioned acceptance of liability shall not include compensation for psychiatric injuries.

BE IT FURTHER RESOLVED that the Sheriff, Undersheriff, and Sheriff Deputy seeking workers' compensation for the aforementioned injury shall not be under suspension or otherwise lacking in good standing at the time he or she sustains the injury.