

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBa1574/1dn  
MES:lmk:nwn

March 5, 2008

Representative Albers:

Please review this amendment very carefully to ensure that it meets your intent. I believe that the provisions in the amendment are similar to the provisions in ASA 2 to AB 176 that apply to 1st class city police officers but, because the whole system of discipline, suspension, and dismissal for deputy sheriffs and other county law enforcement officers is so different from the treatment of 1st class city police officers, both under current law and as affected by this substitute amendment, this amendment may not fit in too well with current law.

In addition, it is possible that this amendment, as drafted, could be challenged as being nongermane to SB-176. Under Assembly Rule 54 (3) (f), an amendment that "substantially expands the scope of the proposal" is nongermane. It could be argued that this amendment, which deals with deputy sheriffs, substantially expands the scope of ASA 2 to SB-176, which deals with disciplinary actions against a 1st class city police officer. On the other hand, one could argue that this amendment is germane because it addresses disciplinary actions relating to law enforcement personnel. I just thought you should be aware of both sides of this issue should the amendment be challenged.

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