
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 1537 (Bryan) - Peace officers: secondary employment

Version: June 25, 2026

Urgency: No

Hearing Date: August 3, 2026

Policy Vote: PUB. S. 5 - 1

Mandate: Yes

Consultant: Bob Franzoia

Bill Summary: AB 1537 would prohibit certain peace officers from engaging in any form of secondary employment that involves engaging in federal immigration enforcement. The bill would require certain peace officers to report to their employing law enforcement agency any conditional offer of secondary employment relating to immigration enforcement. Law enforcement agencies would be required to maintain specified records related to secondary employment which would be subject to the Public Records Act (PRA). By imposing additional duties on local law enforcement agencies, this bill would impose a state mandated local program.

Fiscal Impact: Major costs to state law enforcement entities to maintain employment records subject to the PRA (special funds, General Fund).

Major costs to local law enforcement entities to maintain employment records subject to the PRA. Reimbursement would be subject to a determination by the Commission on State Mandates (General Fund).

Minor to moderate costs to the Commission on Peace Officer Standards and Training (POS) to investigate violations of serious misconduct that may constitute grounds for decertification of employees.

Proposed Law: The bill states that a peace officer shall not engage in any form of secondary employment, including contract based or as an individual contractor, that involves engaging in arresting, detaining, transporting, or deporting individuals pursuant to federal immigration laws. This does not include service with any branch of the United States Armed Forces.

A violation of that prohibition is an act of serious misconduct and may constitute grounds for decertification.

A peace officer shall report to their employing law enforcement agency any conditional offer of secondary employment. (While the bill defines “response” as any communication from a peace officer replying to a conditional offer, it is unclear how the response, if it is negative or particularly if it is verbal, is recorded and whether that is a violation that must be maintained as a public record.)

Records that relate to a peace officer reporting to their employing law enforcement agency and any records related to secondary employment pursuant to engaging in federal immigration laws, including records of investigations into violations of that provision where there is a sustained finding that a violation did occur, shall be

maintained by the law enforcement agency and shall constitute public records for purposes of the California Public Records Act.

Related Legislation: SB 938 (Menjivar) would disqualify a person from being a peace officer if they were previously employed as a sworn law enforcement officer by a federal agency engaged in immigration enforcement and personally assisted with immigration enforcement, as defined, after January 20, 2025, except as specified. The bill would authorize a person to apply for eligibility as a peace officer only after a minimum cooling-off period of 10 years from the date of separation from the federal immigration enforcement agency. SB 938 is in the Assembly Appropriations Committee.

AB 1627 (Avila Farias) would define “law enforcement officer” and “employed in law enforcement,” for purposes of an existing provision that disqualifies persons whose prior law enforcement certification was revoked for misconduct or who engaged in serious misconduct in another jurisdiction, to include a law enforcement officer employed in any state or U.S. territory or by the federal government who engages in immigration enforcement. AB 1627, which is keyed non fiscal, is on Senate Third Reading.

AB 1896 (M. González and Rivas) would disqualify a person previously employed by an entity engaged in immigration enforcement, between January 20, 2025, and January 20, 2029, from public employment in California, with specified exceptions for California state and local law enforcement agencies engaged in immigration enforcement. AB 1896 is set for hearing August 3rd in this committee.

Staff Comments: As noted above, POST has the responsibility to decertify a peace officer and this bill may require POST to decertify for an act of serious misconduct of which there are nine definitions. The process is clouded by POST having a higher threshold of clear and convincing evidence to decertify. For example, if a peace officer reports their secondary employment and is forthcoming with the information, does that qualify as possible decertification? If so, what is the act that is violated?

Decertification does not result in a peace officer losing their job. They lose their peace officer authority. Unless this is deemed grounds for termination, the employing law enforcement agency would likely have to find that person another role at the agency.

Terminating a peace officer who was decertified may leave the law enforcement agency vulnerable to a Fair Employment and Housing Act lawsuit.

Public Records Act

Using the California Highway Patrol as an example, the CHP documents secondary employment in physical format within a peace officer’s personnel file. These personnel files are stored at the specific area where the peace officer is assigned. This bill would prohibit any secondary employment “that involves engaging in arresting, detaining, transporting, or deporting individuals pursuant to federal immigration law.” Any secondary employment which violates that prohibition is automatically deemed an act of serious misconduct by the peace officer. Penal Code 13510.9 requires CHP to notify POST within ten days of an allegation of serious misconduct against a peace officer. CHP would have to review every peace officer’s personnel file to confirm there is no secondary employment which would be considered an act of serious

misconduct. Any discovered secondary employment in violation of the prohibition would then require CHP to conduct an internal investigation and notify POST. Additionally, any records related to the prohibited secondary employment are now subject to the PRA. Under current law, records related to secondary employment are not releasable under the PRA. In order to comply, CHP would need to develop a new system to verify, track, and disclose secondary employment.

The fiscal impact on the CHP is difficult to quantify but may result in costs in the low millions of dollars due to the labor-intensive compliance to manually review 7,000 personnel files stored across 103 area offices, nine field divisions, headquarters, and the academy.

Proposed Author Amendments: The author has the following suspense file amendment:

On page 3, in line 30, after the period insert:

As Californians have a right of access to government records, nothing in this act shall be construed as a limitation on the right of public access to records regarding secondary employment of peace officers.