

Date of Hearing: July 9, 2025

ASSEMBLY COMMITTEE ON INSURANCE

Lisa Calderon, Chair

SB 8 (Ashby) – As Amended March 27, 2025

SENATE VOTE: 39-0

SUBJECT: Peace officers: injury or illness: leaves of absence

SUMMARY: Expands enhanced temporary disability (TD) benefits (commonly referred to as “4850 time”) to park rangers employed on a regular, full-time basis by Sacramento County.

EXISTING LAW:

- 1) Provides, through the workers’ compensation system, comprehensive treatment, disability, and death benefits paid by employers to employees who suffer illness or injury that arises out of, or in the course of, employment. (Labor Code §§3200-6002)
- 2) Includes ordinary TD benefits for up to 104 weeks if an employee is temporarily unable to work during recuperation from the workplace illness or injury. (Labor Code §§4653-4656)
- 3) Establishes a minimum (\$252) and a maximum (\$1680) TD weekly benefit amount that an employee may receive. The minimum/maximum amounts are adjusted annually to reflect rising wage levels. The benefit provides 2/3 of the employee's average weekly wages, subject to the maximum benefit level. (Labor Code §§4653-4656)
- 4) Provides specified public safety officers with an enhanced temporary disability benefit for up to the first year of temporary disability (commonly referred to as “4850 time”). These safety officers receive their full salary (tax free) during the first year of temporary disability. (Labor Code §4850)

FISCAL EFFECT: None.

COMMENTS:

- 1) *Purpose:* According to the author, “County and special district park rangers across the state perform a number of peace officer duties, facing similar risks. However, they are not provided the same workers’ compensation and disability protections granted to other law enforcement agencies under law. Currently, only Los Angeles’ County park rangers receive parity.

Some counties rely on deputy sheriffs or police officers to fill their park ranger positions, further emphasizing both the overlap in responsibilities and disparity in protections. SB 8 amends the Labor Code to extend these benefits to Sacramento County and special district park rangers, addressing the significant gap in workers’ compensation and disability protections.”

- 2) *Temporary disability benefits:* The goal of TD is to approximate an employee's take home pay during the period after injury when the employee is temporarily unable to work. This

goal is implemented by basing the weekly TD benefit on 2/3 of the employee's average weekly wages. Because there is a cap, employees who make more than approximately \$1800 per week do not reach this 2/3 goal, but because the benefit is tax free, most employees receive an adequate TD benefit while they are recovering.

- 3) *Special public safety benefits:* Public safety officers (most police, sheriff, and firefighter employees) receive certain special workers' compensation benefits that other employees do not receive. Most notably, this class of employee has the benefit of a range of "presumptions" that certain illnesses or injuries are automatically deemed to be work related. All other employees are required to prove that their condition is work related. The second significant special workers' compensation benefit is granted by Labor Code Section 4850 – commonly referred to as "4850 time" – and this law grants defined employees up to one year of full pay in lieu of the regular method for calculating TD benefits.
- 4) *Tax advantages:* Because these benefits are paid due to disability, they are not subject to either state or federal taxes. This applies to regular TD benefits, and to 4850 benefits. Because of the tax-free status of this benefit, a public safety officer takes home substantially more in weekly benefits than they normally earn while working – i.e., normal take home pay plus what would have been paid in taxes. Public employers have long complained that this creates a disincentive in getting injured public safety officers to return to work, even if they are able, due to the financial loss they would suffer when they return. Public employers also complain that they face higher overtime costs because they cannot fill a position of an officer who is taking 4850 time, but they still have shifts to cover. The extent of the return to work disincentive may be unclear with respect to these particular employees, but factually, they make more money while off duty on 4850 time than when they return to work.
- 5) *Veto Message:* A bill that provided 4850 benefits to all park rangers (SB1056, Ashby) passed this committee last year. That bill was vetoed by the Governor with the following message:

To the Members of the California State Senate:

I am returning Senate Bill 1058 without my signature.

This bill expands an existing enhanced paid leave of absence provision, commonly referred to as 4850 time, to park rangers employed by counties and special districts.

While I appreciate the author's intent and do not take lightly the important public service provided by park rangers, this bill would significantly expand 4850 benefits that can be negotiated locally through the collective bargaining process. Many local governments face financial stress, and the addition of a well-intentioned but costly benefit should be left to local entities, particularly given the potential fiscal impact on counties and special districts that employ park rangers.

For this reason, I cannot sign this bill.

Sincerely,

Gavin Newsom

REGISTERED SUPPORT / OPPOSITION:

Support

California Fraternal Order of Police
PAT Hume, Sacramento County Supervisor, District 5
Peace Officers Research Association of California (PORAC)
Sacramento County Criminal Justice Employees Union
Sacramento County Deputy Sheriff's Association
Sacramento County District Attorney
Sacramento County Supervisor Patrick Kennedy
Sacramento; County of

Oppose

California Association of Joint Powers Authorities (CAJPA)
California Coalition on Workers Compensation
Public Risk Innovation, Solutions, and Management (PRISM)

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