

**RESOLUTION NO. 2021-195**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
EXPANDING WORKERS' COMPENSATION COVERAGE PURSUANT TO AB 1749  
TO ELK GROVE POLICE OFFICERS WHO ARE INJURED WHILE OFF-DUTY AND  
OUT OF STATE IN CERTAIN CIRCUMSTANCES**

**WHEREAS**, Assembly Bill 1749 ("AB 1749") was proposed in the 2017-18 California legislative session in response to the denial of workers' compensation claims that were filed by California police officers who were injured in the October 1, 2017, mass shooting in Las Vegas, and was signed into law January 1, 2019; and

**WHEREAS**, AB 1749 amended California Labor Code 3600.2(b) to allow cities to decide whether to accept workers' compensation claims filed by a police officer who, while out of state, is injured in the apprehension or attempted apprehension of law violators or suspected law violators, or protection or preservation of life and property, or the preservation of the peace; and

**WHEREAS**, the City desires to expand workers' compensation coverage to Elk Grove Police Department officers as permitted by AB 1749.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby authorizes the provision of workers' compensation benefits to Elk Grove Police Department ("EGPD) officers who are injured in the course of apprehending or attempting to apprehend law violators or suspected law violators; protecting or preserving life and property; or preserving the peace due to the imminent threat of serious bodily injury or death, or significant property damage, while out of state, off-duty, and acting within Elk Grove Police Department policy. It is the intent of this resolution to limit acceptance of such coverage to cases where the injured officer was acting under the rules of EGPD policy and state law. In incidences where Officers were injured, but not compliant with EGPD policy or state law, officers will not receive workers' compensation benefits.


This resolution shall apply only in cases where an officer has sustained a physical injury. Officers that have sustained a non-physical injury while apprehending or attempting to apprehend a law violator(s) or suspected law violator(s) shall not be covered under this resolution.


To be eligible to receive workers' compensation benefits pursuant to this Resolution, officers must follow the proper standards and procedures in place for filing a workers' compensation claim.

Officers shall be afforded workers' compensation benefits under the circumstances set forth herein effective upon the date of adoption of this resolution.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 28<sup>th</sup> day of July 2021

  
BOBBIE SINGH-ALLEN, MAYOR of the  
CITY OF ELK GROVE

ATTEST:  
  
JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:  
  
JONATHAN P. HOBBS  
CITY ATTORNEY

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2021-195**

STATE OF CALIFORNIA       )  
COUNTY OF SACRAMENTO    )       ss  
CITY OF ELK GROVE         )

*I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on July 28, 2021 by the following vote:*

**AYES:**       **COUNCILMEMBERS:** *Singh-Allen, Hume, Spease, Suen*

**NOES:**       **COUNCILMEMBERS:** *None*

**ABSTAIN:** **COUNCILMEMBERS:** *Nguyen*

**ABSENT:**   **COUNCILMEMBERS:** *None*

  
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**Jason Lindgren, City Clerk  
City of Elk Grove, California**