

**LOCAL GOVERNMENT PEACE OFFICER**

**EXAMINATIONS**

2000 GENERAL SESSION

STATE OF UTAH

**Sponsor: Scott N. Howell**

AN ACT RELATING TO CITIES AND TOWNS AND COUNTIES; ALLOWING THE CIVIL SERVICE COMMISSION AND THE PERSONAL MERIT SYSTEM COMMISSION TO USE OTHER COMPETITIVE EXAMINATION PROCESSES TO DETERMINE THE QUALIFICATION OF APPLICANTS FOR POSITIONS AS PEACE OFFICERS.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

**10-3-1007**, as enacted by Chapter 48, Laws of Utah 1977

**17-30-6**, as last amended by Chapter 234, Laws of Utah 1993

**17-30-9**, as enacted by The People Nov. 8, 1960, Laws of Utah 1960

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **10-3-1007** is amended to read:

**10-3-1007. Examinations.**

(1) All applicants for employment in the classified civil service ~~[shall be]~~ are subject to examination, which shall be public, competitive, and free.

(2) Examinations shall ~~[be]~~:

(a) be held at ~~[such]~~ times and places ~~[as]~~ the civil service commission ~~[shall from time to time determine, and shall be]~~ determines;

(b) be for the purpose of determining the qualifications of applicants for positions~~[- Examinations shall be]~~; **§ AND §**

(c) be practical and shall fairly test the fitness in every respect of the persons examined to discharge the duties of the positions to which they seek to be appointed~~[-]~~; **§ ~~[, and]~~ § [shall]**

**§ ~~[(d) include tests of physical qualifications and health]~~ § .**

28 (3) The civil service commission may use any other competitive examination process it  
29 finds acceptable and that meets the requirements of Subsection (2).

30 Section 2. Section **17-30-6** is amended to read:

31 **17-30-6. Examinations -- How prepared, conducted, and graded -- Notice of**  
32 **examination.**

33 (1) (a) When necessary, the commission shall give competitive examinations to determine  
34 the qualification of applicants for positions as peace officers.

35 (b) The examinations shall be practical in character and shall relate to matters that will  
36 fairly test the mental and physical ability and knowledge of the applicants to discharge the duties  
37 of the positions.

38 (c) The examinations shall be prepared, conducted, and graded under the direction of the  
39 commission, or by impartial special examiners [~~if the commission finds it necessary~~].

40 (2) The commission may use any other competitive examination process it finds acceptable  
41 and that meets the requirements of Subsections (1)(b) and (c).

42 [~~(2)~~] (3) (a) Notice of examination shall be published one time not less than 15 days prior  
43 to the examination in a newspaper of general circulation in the area concerned and shall be posted  
44 in a conspicuous place in the office of the department concerned.

45 (b) The notice shall set forth minimum and maximum wages, physical and educational  
46 requirements, and passing grades, which shall be not less than 70%.

47 (c) A person completing an examination shall be promptly notified of his final grade by  
48 mail at his last-known address [~~of his final grade~~].

49 Section 3. Section **17-30-9** is amended to read:

50 **17-30-9. Preparation and expiration of eligible register.**

51 (1) Upon completion of an examination, the commission shall prepare an eligible register  
52 containing the names of all persons receiving a passing grade in the order of grades earned,  
53 beginning with the highest.

54 (2) An eligible register [~~shall expire~~] expires not later than two years after the date of the  
55 examination unless the commission, for good reason, [~~shall extend~~] extends the time not to exceed  
56 one additional year. The promulgation of a new eligible register [~~shall~~] automatically [~~cancel~~]  
57 cancels all previous registers for the same class or position, except that the class of persons who  
58 are on the previous register as applicants for new employment, and who are not being considered

59 for promotion, may be kept on the new eligible register at the direction of the commission.

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**Legislative Review Note**  
**as of 2-10-00 4:45 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**