

POST FUNDING AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Marc K. Roberts

Senate Sponsor: _____

LONG TITLE

General Description:

This bill allows Peace Officer Standards and Training to create a fee schedule for in-service training provided to local law enforcement agencies.

Highlighted Provisions:

This bill:

- ▶ allows POST to create a fee schedule for in-service training.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-6-105, as last amended by Laws of Utah 2010, Chapter 313

53-6-107, as last amended by Laws of Utah 2002, Chapter 250

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

Section 1. Section **53-6-105** is amended to read:

53-6-105. Duties of director -- Powers -- Rulemaking.

(1) The director, with the advice of the council, shall:

- (a) prescribe standards for the certification of a peace officer training academy, certify



28 an academy that meets the prescribed standards, and prescribe standards for revocation of
29 certification for cause;

30 (b) prescribe minimum qualifications for certification of peace officers appointed or
31 elected to enforce the laws of this state and its subdivisions and prescribe standards for
32 revocation of certification for cause;

33 (c) establish minimum requirements for the certification of training instructors and
34 establish standards for revocation of certification;

35 (d) provide for the issuance of appropriate certificates to those peace officers
36 completing the basic training programs offered by a certified academy or those persons who
37 pass a certification examination as provided for in this chapter;

38 (e) consult and cooperate with certified academy administrators and instructors for the
39 continued development and improvement of the basic training programs provided by the
40 certified academy and for the further development and implementation of advanced in-service
41 training programs;

42 (f) consult and cooperate with state institutions of higher education to develop
43 specialized courses of study for peace officers in the areas of criminal justice, police
44 administration, criminology, social sciences, and other related disciplines;

45 (g) consult and cooperate with other departments, agencies, and local governments
46 concerned with peace officer training;

47 (h) perform any other acts necessary to develop peace officer training programs within
48 the state;

49 (i) report to the council at regular meetings of the council and when the council
50 requires;

51 (j) recommend peace officer standards and training requirements to the commissioner,
52 governor, and the Legislature; ~~and~~

53 (k) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
54 director shall, with the advice of the council, make rules necessary to administer this chapter[-];
55 and

56 (l) in conjunction with the council, develop a fee schedule for in-service training
57 programs in accordance with Section [63J-1-504](#).

58 (2) With the permission of the commissioner, the director may execute contracts on

59 behalf of the division with criminal justice agencies to provide training for employees of those
60 agencies if:

61 (a) the employees or the employing agency pay a registration fee equivalent to the cost
62 of the training; and

63 (b) the contract does not reduce the effectiveness of the division in its primary
64 responsibility of providing training for peace officers of the state.

65 (3) The director may:

66 (a) revoke certification of a certified academy for cause; and

67 (b) make training aids and materials available to local law enforcement agencies.

68 (4) The director shall, with the advice of the council, make rules:

69 (a) establishing minimum requirements for the certification of dispatcher training
70 instructors in a certified academy or interagency program and standards for revocation of this
71 certification;

72 (b) establishing approved curriculum and a basic schedule for the basic dispatcher
73 training course and the content of the dispatcher certification examination;

74 (c) providing for the issuance of appropriate certificates to a person who completes the
75 basic dispatcher course or who passes a dispatcher certification examination as provided for in
76 this chapter;

77 (d) establishing approved courses for certified dispatchers' annual training; and

78 (e) establishing a reinstatement procedure for a certified dispatcher who has not
79 obtained the required annual training hours.

80 Section 2. Section **53-6-107** is amended to read:

81 **53-6-107. General duties of council.**

82 (1) The council shall:

83 (a) advise the director regarding:

84 (i) the approval, certification, or revocation of certification of any certified academy
85 established in the state;

86 (ii) the refusal, suspension, or revocation of certification of a peace officer;

87 (iii) minimum courses of study, attendance requirements, and the equipment and
88 facilities to be required at a certified academy;

89 (iv) minimum qualifications for instructors at a certified academy;

90 (v) the minimum basic training requirements that peace officers shall complete before
91 receiving certification;

92 (vi) the minimum basic training requirements that dispatchers shall complete before
93 receiving certification; [~~and~~]

94 (vii) categories or classifications of advanced in-service training programs and
95 minimum courses of study and attendance requirements for the categories or classifications;
96 and

97 (viii) fees to be established for advanced in-service training programs in accordance
98 with Section [63J-1-504](#);

99 (b) recommend that studies, surveys, or reports, or all of them be made by the director
100 concerning the implementation of the objectives and purposes of this chapter;

101 (c) make recommendations and reports to the commissioner and governor from time to
102 time; and

103 (d) perform other acts as necessary to carry out the duties of the council in this chapter.

104 (2) The council may approve special function officers for membership in the Public
105 Safety Retirement System in accordance with Sections [49-14-201](#) and [49-15-201](#).

Legislative Review Note
Office of Legislative Research and General Counsel