



- 28 (iv) any police officer employed by any college or university;
  - 29 (v) investigators for the Motor Vehicle Enforcement Division;
  - 30 (vi) special agents or investigators [~~for~~] employed by the attorney general, district  
31 attorneys, and county attorneys;
  - 32 (vii) employees of the Department of Natural Resources designated as peace officers by  
33 law;
  - 34 (viii) school district police officers as designated by the board of education for the school  
35 district;
  - 36 (ix) the executive director of the Department of Corrections and any correctional  
37 enforcement or investigative officer designated by the executive director and approved by the  
38 commissioner of public safety and certified by the division;
  - 39 (x) correctional enforcement, investigative, or adult probation and parole officers  
40 employed by the Department of Corrections serving on or before July 1, 1993;
  - 41 (xi) members of a law enforcement agency established by a private college or university  
42 provided that the college or university has been certified by the commissioner of public safety  
43 according to rules of the Department of Public Safety; and
  - 44 (xii) airport police officers of any airport owned or operated by the state or any of its  
45 political subdivisions.
- 46 (2) Law enforcement officers may serve criminal process and arrest [~~and prosecute~~]  
47 violators of any law of this state and have the right to require aid in executing their lawful duties.
- 48 (3) (a) A law enforcement officer has statewide full-spectrum peace officer authority, but  
49 the authority extends to other counties, cities, or towns only when the officer is acting under Title  
50 77, Chapter 9, Uniform Act on Fresh Pursuit, unless the law enforcement officer is employed by  
51 the state.
- 52 (b) (i) A local law enforcement agency may limit the jurisdiction in which its law  
53 enforcement officers may exercise their peace officer authority to a certain geographic area.
- 54 (ii) Notwithstanding Subsection (3)(b)(i), a law enforcement officer may exercise his  
55 authority outside of the limited geographic area, pursuant to Title 77, Chapter 9, Uniform Act on  
56 Fresh Pursuit, if the officer is pursuing an offender for an offense that occurred within the limited  
57 geographic area.
- 58 (c) The authority of law enforcement officers employed by the Department of Corrections

59 is regulated by Title 64, Chapter 13, Department of Corrections -- State Prison.

60 (4) A law enforcement officer shall, prior to exercising peace officer authority,  
61 satisfactorily complete:

62 (a) the basic course at a certified law enforcement officer training academy or pass a  
63 certification examination as provided in Section 53-6-206, and be certified; and

64 (b) annual certified training of at least 40 hours per year as directed by the director of the  
65 division, with the advice and consent of the council.

66 Section 2. Section **53-13-105** is amended to read:

67 **53-13-105. Special function officer.**

68 (1) (a) "Special function officer" means a sworn and certified peace officer performing  
69 specialized investigations, service of legal process, security functions, or specialized ordinance,  
70 rule, or regulatory functions.

71 (b) "Special function officer" includes:

72 (i) state military police;

73 (ii) constables;

74 (iii) port-of-entry agents as defined in Section 72-1-102;

75 (iv) authorized employees or agents of the Department of Transportation assigned to  
76 administer and enforce the provisions of Title 72, Chapter 9, Motor Carrier Safety Act;

77 (v) school district security officers;

78 (vi) Utah State Hospital security officers designated pursuant to Section 62A-12-203;

79 (vii) Utah State Developmental Center security officers designated pursuant to Subsection  
80 62A-5-206(9);

81 (viii) fire arson investigators for any political subdivision of the state;

82 (ix) ordinance enforcement officers employed by municipalities or counties may be special  
83 function officers;

84 (x) employees of the Department of Natural Resources who have been designated to  
85 conduct supplemental enforcement functions as a collateral duty [~~shall be special function~~  
86 ~~officers~~];

87 (xi) railroad special agents deputized by a county sheriff under Section 17-30-2, or  
88 appointed pursuant to Section 56-1-21.5;

89 (xii) auxiliary [~~officer~~] officers, as described by Section 53-13-112; [~~and~~]

90            (xiii) special agents, process servers, and investigators employed by city attorneys; and  
91            [~~(xiii)~~] (xiv) all other persons designated by statute as having special function officer  
92 authority or limited peace officer authority.

93            (2) (a) A special function officer may exercise that spectrum of peace officer authority that  
94 has been designated by statute to the employing agency, and only while on duty, and not for the  
95 purpose of general law enforcement.

96            (b) If the special function officer is charged with security functions respecting facilities  
97 or property, the powers may be exercised only in connection with acts occurring on the property  
98 where the officer is employed or when required for the protection of the employer's interest,  
99 property, or employees.

100           (c) A special function officer may carry firearms only while on duty, and only if authorized  
101 and under conditions specified by the officer's employer or chief administrator.

102           (3) (a) A special function officer may not exercise the authority of a peace officer until:

103           (i) the officer has satisfactorily completed an approved basic training program for special  
104 function officers as provided under Subsection (4); and

105           (ii) the chief law enforcement officer or administrator has certified this fact to the director  
106 of the division.

107           (b) City and county constables and their deputies shall certify their completion of training  
108 to the legislative governing body of the city or county they serve.

109           (4) (a) The agency that the special function officer serves may establish and maintain a  
110 basic special function course and in-service training programs as approved by the director of the  
111 division with the advice and consent of the council.

112           (b) The in-service training shall consist of no fewer than 40 hours per year and may be  
113 conducted by the agency's own staff or by other agencies.

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**Legislative Review Note**  
**as of 1-8-01 5:15 PM**

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

**Office of Legislative Research and General Counsel**