

1 **LEAVE OF ABSENCE FOR DISABLED**
2 **EMPLOYEES**

3 2002 GENERAL SESSION
4 STATE OF UTAH

5 **Sponsor: Chad E. Bennion**

6 **This act modifies the Utah State Personnel Management Act by expanding the pool of**
7 **employees eligible for leave of absence benefits when the employee is injured in the line of**
8 **duty.**

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

10 AMENDS:

11 **67-19-27**, as last amended by Chapter 130, Laws of Utah 1995

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

13 Section 1. Section **67-19-27** is amended to read:

14 **67-19-27. Leave of absence with pay for disabled employees covered under other**
15 **civil service systems.**

16 ~~[(1) (a) An employee in a position covered by the Highway Patrol or operator and~~
17 ~~chauffeur license examiners civil service systems;]~~

18 (1) As used in this section:

19 (a) "Law enforcement officer" means a sworn and certified peace officer who is an
20 employee of a law enforcement agency that is part of or administered by the state or any of its
21 political subdivisions, and whose primary and principal duties consist of the prevention and
22 detection of crime and the enforcement of criminal statutes or ordinances of this state or any of its
23 political subdivisions.

24 (b) "Law enforcement officer" specifically includes the following:

25 (i) any sheriff or deputy sheriff, chief of police, police officer, or marshal of any county,
26 city, or town;

27 (ii) the commissioner of public safety and any member of the Department of Public Safety



28 certified as a peace officer;

29 (iii) all persons specified in Sections 23-20-1.5 and 63-11-17.2;

30 (iv) any police officer employed by any college or university;

31 (v) investigators for the Motor Vehicle Enforcement Division;

32 (vi) special agents or investigators employed by the attorney general, district attorneys, and
33 county attorneys;

34 (vii) employees of the Department of Natural Resources designated as peace officers by
35 law;

36 (viii) school district police officers as designated by the board of education for the school
37 district;

38 (ix) the executive director of the Department of Corrections and any correctional
39 enforcement or investigative officer designated by the executive director and approved by the
40 commissioner of public safety and certified by the division;

41 (x) correctional enforcement, investigative, or adult probation and parole officers
42 employed by the Department of Corrections serving on or before July 1, 1993;

43 (xi) members of a law enforcement agency established by a private college or university
44 provided that the college or university has been certified by the commissioner of public safety
45 according to rules of the Department of Public Safety; and

46 (xii) airport police officers of any airport owned or operated by the state or any of its
47 political subdivisions.

48 (2) (a) Each law enforcement officer, operator license examiner, commercial license
49 examiner, or Driver License Division hearing examiner who is injured in the course of
50 employment shall be given a leave of absence with full pay during the period the employee is
51 temporarily disabled.

52 (b) This compensation is in lieu of all other compensation provided by law except hospital
53 and medical services [~~which~~] that are provided by law.

54 [~~(2) An employee in a position covered by the Highway Patrol civil service system,]~~

55 (3) Each law enforcement officer who is 100% disabled through a criminal act upon his
56 person by the use of a deadly weapon while in the lawful discharge of his duties, shall be given a
57 leave of absence with full compensation until he reaches the retirement age of 62 years.

Legislative Review Note
as of 1-28-02 3:35 PM

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

Office of Legislative Research and General Counsel