

**SHERIFF QUALIFICATIONS**

2007 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Kerry W. Gibson**

Senate Sponsor: Gregory S. Bell

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**LONG TITLE**

**General Description:**

This bill modifies a provision relating to the qualifications of a sheriff.

**Highlighted Provisions:**

This bill:

▶ requires a person filing a declaration of candidacy for sheriff to submit a certificate that the candidate has met applicable standards or qualifications;

▶ requires sheriffs and candidates for sheriff to be certified as a correctional officer; and

▶ modifies the standards and training requirements applicable to sheriffs and candidates for sheriff from those of a law enforcement officer to those of a peace officer.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**17-22-1.5**, as last amended by Chapter 140, Laws of Utah 2003

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



28 Section 1. Section 17-22-1.5 is amended to read:

29 **17-22-1.5. County sheriff qualifications.**

30 (1) Each person filing a declaration of candidacy for the office of county sheriff shall  
31 submit to the county clerk, at the time of filing a declaration of candidacy, a certificate issued  
32 by the Peace Officer Standards and Training Division created under Section 53-6-103 that the  
33 candidate has:

34 (a) (i) [~~have~~] successfully met the standards and training requirements established for  
35 [~~law enforcement~~] peace officers under Title 53, Chapter 6, Part 2, Peace Officer Training and  
36 Certification Act; or

37 (ii) [~~have~~] passed a certification examination as provided in Section 53-6-206; and

38 (b) [~~be~~] qualified to be certified as:

39 (i) a law enforcement officer, as defined in Section 53-13-103; and

40 (ii) a correctional officer, as defined in Section 53-13-104.

41 (2) In addition to the general qualifications required of county officers by Title 17,  
42 Chapter 16, County Officers, each county sheriff shall:

43 (a) at the time of taking office:

44 (i) (A) have successfully met the standards and training requirements established for  
45 [~~law enforcement~~] peace officers under Title 53, Chapter 6, Part 2, Peace Officer Training and  
46 Certification Act; or

47 (B) have passed a certification examination as provided in Section 53-6-206; and

48 (ii) be qualified to be certified as:

49 (A) a law enforcement officer, as defined in Section 53-13-103; and

50 (B) a correctional officer, as defined in Section 53-13-104; and

51 (b) satisfactorily complete annual certified training as required in Section 53-13-103;

52 and

53 (c) after certification as provided in Subsection (2)(a), remain certified as a law  
54 enforcement officer and correctional officer during the sheriff's term of office.

55 (3) The county legislative body shall declare the office of sheriff to be vacant if at any  
56 time the incumbent sheriff fails to meet the legal qualifications for office under Subsection (2).

**Legislative Review Note**  
as of 12-6-06 7:31 AM

**Office of Legislative Research and General Counsel**

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**H.B. 232 - Sheriff Qualifications**

**Fiscal Note**

2007 General Session  
State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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*1/15/2007, 11:02:48 AM, Lead Analyst: Ricks, G.*

**Office of the Legislative Fiscal Analyst**