

COUNTY SHERIFF QUALIFICATION

AMENDMENTS

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Richard A. Greenwood

Senate Sponsor: Scott K. Jenkins

---

---

LONG TITLE

General Description:

This bill modifies provisions relating to the qualifications of a county sheriff.

Highlighted Provisions:

This bill:

- ▶ requires a person filing a declaration of candidacy for county sheriff to submit a certificate issued by the Peace Officer Standards and Training Division that the candidate has:
  - successfully met the standards and training requirements established for peace officers in Title 53, Chapter 6, Part 2, Peace Officer Training and Certification Act and is certified as a law enforcement officer, as defined in Section 53-13-103;
- ▶ requires an elected county sheriff at the time of taking office to be certified as a correctional officer, as defined in Section 53-13-104; and
- ▶ requires a county sheriff to remain certified as a law enforcement officer and correctional officer during the sheriff's term of office.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

30 17-22-1.5, as last amended by Laws of Utah 2003, Chapter 140



31  
32 *Be it enacted by the Legislature of the state of Utah:*

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

34 **17-22-1.5. County sheriff qualifications.**

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

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

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

43 (b) [~~be~~] qualified to be certified as a law enforcement officer, as defined in Section  
44 53-13-103.

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

47 (a) at the time of taking office:

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

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

52 (ii) be qualified to be certified as:

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

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

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

56 and

57 (c) after certification as provided in Subsection (2)(a), remain certified as a law

58 enforcement officer and correctional officer during the sheriff's term of office.

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