

**Representative Richard A. Greenwood** proposes the following substitute bill:

**COUNTY SHERIFF QUALIFICATION**

**AMENDMENTS**

2008 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Richard A. Greenwood**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

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

**Highlighted Provisions:**

This bill:

▶ provides new certification requirements for county sheriffs elected after the 2008 regular general election;

▶ 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 law enforcement 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 to be certified at the time of taking office as a correctional officer, as defined in Section 53-13-104, or as a correctional facility manager by having completed a correctional facility management course approved by the POST Council; and



26           ▶ requires a county sheriff to remain certified as a law enforcement officer and  
27 correctional officer or correctional facility manager during the sheriff's term of  
28 office.

29 **Monies Appropriated in this Bill:**

30           None

31 **Other Special Clauses:**

32           None

33 **Utah Code Sections Affected:**

34 AMENDS:

35           **17-22-1.5**, as last amended by Laws of Utah 2003, Chapter 140



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

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

39           **17-22-1.5. County sheriff qualifications.**

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

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

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

48           (b) [~~be qualified~~] met the qualifications to be certified as a law enforcement officer, as  
49 defined in Section 53-13-103.

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

52           (a) at the time of taking office:

53           (i) (A) have successfully met the standards and training requirements established for  
54 law enforcement officers under Title 53, Chapter 6, Part 2, Peace Officer Training and  
55 Certification Act; or

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

57 (ii) be qualified to be certified as:  
58 (A) a law enforcement officer, as defined in Section 53-13-103; and  
59 (B) for all persons elected to the office of county sheriff in any election held after the  
60 2008 general election:  
61 (I) a correctional officer, as defined by Section 53-13-104; or  
62 (II) a correctional facility manager, by having completed a correctional facility  
63 management course approved by the Peace Officer Standards and Training Council created in  
64 Section 53-6-106;  
65 (b) satisfactorily complete annual certified training as required in Section 53-13-103;  
66 and  
67 (c) after certification as provided in Subsection (2)(a), remain certified during the  
68 sheriff's term of office as:  
69 (i) a law enforcement officer [~~during the sheriff's term of office.~~]; and  
70 (ii) for all persons elected to the office of county sheriff in any election held after the  
71 2008 general election:  
72 (A) a correctional officer; or  
73 (B) a correctional facility manager, by having completed a correctional facility  
74 management course approved by the Peace Officer Standards and Training Council created in  
75 Section 53-6-106.  
76 (3) The county legislative body shall declare the office of sheriff to be vacant if at any  
77 time the incumbent sheriff fails to meet the [~~legal~~] qualifications for office under Subsection  
78 (2).