

1 PEACE OFFICER STANDARDS AND TRAINING COUNCIL

2 AMENDMENTS

3 2012 GENERAL SESSION

4 STATE OF UTAH

5 Chief Sponsor: Richard A. Greenwood

6 Senate Sponsor: Curtis S. Bramble

7

8 LONG TITLE

9 Committee Note:

10 The Judiciary, Law Enforcement, and Criminal Justice Interim Committee
11 recommended this bill.

12 General Description:

13 This bill modifies the Peace Officer Standards and Training Act regarding Training
14 Council membership.

15 Highlighted Provisions:

16 This bill:

17 ▶ authorizes the superintendent of the highway patrol to designate a representative to
18 serve on the Peace Officer Standards and Training Council.

19 Money Appropriated in this Bill:

20 None

21 Other Special Clauses:

22 None

23 Utah Code Sections Affected:

24 AMENDS:

25 53-6-106, as last amended by Laws of Utah 2010, Chapter 286

26

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



28 Section 1. Section **53-6-106** is amended to read:

29 **53-6-106. Creation of Peace Officer Standards and Training Council -- Purpose --**
30 **Membership -- Quorum -- Meetings -- Compensation.**

31 (1) There is created the Peace Officer Standards and Training Council.

32 (2) The council shall serve as an advisory board to the director of the division on
33 matters relating to peace officer and dispatcher standards and training.

34 (3) The council includes:

35 (a) the attorney general or ~~his~~ a designated representative;

36 (b) the superintendent of the highway patrol or a designated representative;

37 (c) the executive director of the Department of Corrections or ~~his~~ a designated
38 representative; and

39 (d) 14 additional members appointed by the governor having qualifications,
40 experience, or education in the field of law enforcement as follows:

41 (i) one incumbent mayor;

42 (ii) one incumbent county commissioner;

43 (iii) three incumbent sheriffs, one of whom is a representative of the Utah Sheriffs
44 Association, one of whom is from a county having a population of 100,000 or more, and one of
45 whom is from a county having a population of less than 100,000;

46 (iv) three incumbent police chiefs, one of whom is a representative of the Utah Chiefs
47 of Police Association, one of whom is from a city of the first or second class, and one of whom
48 is from a city of the third, fourth, or fifth class or town;

49 (v) one officer from the Federal Bureau of Investigation appointed by the governor
50 upon the recommendation of the agency;

51 (vi) a representative of the Utah Peace Officers Association;

52 (vii) an educator in the field of public administration, criminal justice, or a related area;

53 and

54 (viii) three persons selected at large by the governor.

55 (4) (a) Except as required by Subsection (4)(b), the 14 members of the council shall be
56 appointed by the governor for four-year terms.

57 (b) Notwithstanding the requirements of Subsection (4)(a), the governor shall, at the
58 time of appointment or reappointment, adjust the length of terms to ensure that the terms of

59 council members are staggered so that approximately half of the council is appointed every two
60 years.

61 (c) A member may be reappointed for additional terms.

62 (d) When a vacancy occurs in the membership for any reason, the replacement shall be
63 appointed for the unexpired term by the governor from the same category in which the vacancy
64 occurs.

65 (5) A member of the council ceases to be a member:

66 (a) immediately upon the termination of [his] the member's holding the office or
67 employment that was the basis for [his] eligibility to membership on the council; or

68 (b) upon two unexcused absences in one year from regularly scheduled council
69 meetings.

70 (6) The council shall select a chair and vice chair from among its members.

71 (7) Ten members of the advisory council constitute a quorum.

72 (8) (a) Meetings may be called by the chair, the commissioner, or the director and shall
73 be called by the chair upon the written request of nine members.

74 (b) Meetings shall be held at the times and places determined by the director.

75 (9) The council shall meet at least two times per year.

76 (10) A member may not receive compensation or benefits for the member's service, but
77 may receive per diem and travel expenses in accordance with:

78 (a) Section 63A-3-106;

79 (b) Section 63A-3-107; and

80 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
81 63A-3-107.

82 (11) Membership on the council does not disqualify any member from holding any
83 other public office or employment.

Legislative Review Note
as of 9-8-11 12:54 PM

Office of Legislative Research and General Counsel