LEGISLATIVE GENERAL COUNSEL   **H.B. 252**
   Ɫ Approved for Filing: S.C. Allred Ɫ
     Ɫ   01-06-12 12:18 PM   Ɫ

POST CERTIFICATION WAIVERS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Richard A. Greenwood

Senate Sponsor: Daniel W. Thatcher

LONG TITLE

General Description:

> This bill modifies the Public Safety Code regarding certification as a peace officer.

Highlighted Provisions:

> This bill:

> ▸   requires that an applicant for peace officer certification who requests a waiver of the

peace officer training course must be able to lawfully possess a firearm, in addition

to complying with the current waiver requirements.

Money Appropriated in this Bill:

> None

Other Special Clauses:

> None

Utah Code Sections Affected:

AMENDS:

> **53-6-206**, as repealed and reenacted by Laws of Utah 2011, Chapter 58

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

> Section 1. Section **53-6-206** is amended to read:

> **53-6-206.   Waiver of training course requirement.**

> (1) The director may waive the required basic peace officer training course and certify

an applicant who:

28   (a) provides proof that the applicant meets the requirements under Section 53-6-203

29   relating to qualifications for admission to the training course;

30   (b) provides proof that the applicant has completed a basic peace officer training

31   program that, in the director's judgment, is equivalent to the course required for certification

32   under this part;

33   (c) passes the certification examination; [and]

34   (d) passes a physical fitness test[.]; and

35   (e) is not restricted from possessing a firearm under Section 76-10-503 or federal law.

36   (2) A waiver applicant may not exercise peace officer authority until all waiver process

37   requirements have been met and the applicant has been certified.

38   (3) If an applicant fails the examination under Subsection (1)(c), the director may not

39   waive the required basic peace officer training course and the applicant shall comply with all of

40   the requirements in Subsection 53-6-205(1) to be certified as a peace officer in Utah.

Legislative Review Note
    as of 12-27-11 1:17 PM

                                                        Office of Legislative Research and General Counsel