

1 **PEACE OFFICER STANDARDS AND TRAINING**
2 **CERTIFICATION AGE REQUIREMENT**

3 2013 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Lyle W. Hillyard**

6 House Sponsor: R. Curt Webb

8 **LONG TITLE**

9 **General Description:**

10 This bill modifies the Public Safety Code regarding a person's age as required to apply
11 for admission to a certified Peace Officer Standards and Training program.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ provides that a person must be 21 years of age or older at the time the person is
15 certified as a special function officer or correctional officer to apply for admission
16 to the Peace Officer Standards and Training program.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **53-6-203**, as last amended by Laws of Utah 2010, Chapter 313

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

26 Section 1. Section **53-6-203** is amended to read:

27 **53-6-203. Applicants for admission to training programs or for certification**
28 **examination -- Requirements.**

29 (1) Before being accepted for admission to the training programs conducted by a

30 certified academy, and before being allowed to take a certification examination, each applicant
31 for admission or certification examination shall meet the following requirements:

32 (a) be a United States citizen;

33 (b) be at least 21 years old at the time of [~~appointment as a peace officer~~] certification
34 as a special function officer or correctional officer;

35 (c) be a high school graduate or furnish evidence of successful completion of an
36 examination indicating an equivalent achievement;

37 (d) have not been convicted of a crime for which the applicant could have been
38 punished by imprisonment in a federal penitentiary or by imprisonment in the penitentiary of
39 this or another state;

40 (e) have demonstrated good moral character, as determined by a background
41 investigation; and

42 (f) be free of any physical, emotional, or mental condition that might adversely affect
43 the performance of the applicant's duties as a peace officer.

44 (2) (a) An application for admission to a training program shall be accompanied by a
45 criminal history background check of local, state, and national criminal history files and a
46 background investigation.

47 (b) The costs of the background check and investigation shall be borne by the applicant
48 or the applicant's employing agency.

49 (3) (a) Notwithstanding any expungement statute or rule of any other jurisdiction, any
50 conviction obtained in this state or other jurisdiction, including a conviction that has been
51 expunged, dismissed, or treated in a similar manner to either of these procedures, may be
52 considered for purposes of this section.

53 (b) This provision applies to convictions entered both before and after the effective
54 date of this section.

55 (4) Any background check or background investigation performed pursuant to the
56 requirements of this section shall be to determine eligibility for admission to training programs
57 or qualification for certification examinations and may not be used as a replacement for any

58 background investigations that may be required of an employing agency.

59 (5) An applicant shall be considered to be of good moral character under Subsection

60 (1)(e) if the applicant has not engaged in conduct that would be a violation of Subsection

61 53-6-211(1).