

PEACE OFFICER CERTIFICATES

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Richard A. Greenwood

Senate Sponsor: Daniel W. Thatcher

LONG TITLE

General Description:

This bill modifies the Peace Officer Standards and Training Act regarding certification of peace officers.

Highlighted Provisions:

This bill:

- ▶ clarifies that a peace officer certification becomes inactive if a peace officer has not been actively engaged in performing the duties as a certified and sworn peace officer for 18 consecutive months;

- ▶ provides that a peace officer certification be designated as lapsed if a peace officer has not been actively engaged in performing the duties as a certified and sworn peace officer for four continuous years; and

- ▶ makes a technical correction.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-6-208, as last amended by Laws of Utah 2011, Chapter 58

53-6-211.5, as enacted by Laws of Utah 2010, Chapter 313



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

30 Section 1. Section **53-6-208** is amended to read:

31 **53-6-208. Inactive certificates -- Lapse of certificate -- Reinstatement.**

32 (1) (a) The certificate of a peace officer who has not been actively engaged in
33 performing the duties [~~of a~~] as a certified and sworn peace officer for 18 consecutive months or
34 more, but less than four consecutive years, is designated "inactive."

35 (b) A peace officer whose certificate is inactive shall pass the certification examination
36 and a physical fitness test before the certificate may be reissued or reinstated.

37 (2) (a) The certificate of a peace officer who has not been actively engaged in
38 performing the duties [~~of a~~] as a certified and sworn peace officer for four continuous years or
39 more is designated as "lapsed."

40 (b) A peace officer whose certificate is lapsed shall pass the basic training course at a
41 certified academy, the certification examination, and a physical fitness test before the
42 certificate may be reissued or reinstated.

43 Section 2. Section **53-6-211.5** is amended to read:

44 **53-6-211.5. Voluntary relinquishment of peace officer certification.**

45 (1) A peace officer may voluntarily relinquish the peace officer's certification to the
46 division at any time when a disciplinary issue regarding the peace officer has been referred to
47 the division.

48 (2) (a) A peace officer who voluntarily relinquishes certification under this section may
49 not subsequently be certified as a peace officer in this state.

50 (b) This section does not apply to a peace officer whose certification has become
51 inactive or has lapsed as provided in Section [53-6-208](#).

Legislative Review Note

as of 1-17-14 1:18 PM

Office of Legislative Research and General Counsel