

**Representative Mike Winder** proposes the following substitute bill:

**POST COUNCIL MEMBERSHIP AMENDMENTS**

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Mike Winder**

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

**LONG TITLE**

**General Description:**

This bill adds a representative of the Utah State Fraternal Order of Police to the POST Council.

**Highlighted Provisions:**

This bill:

► adds a representative from one of several law enforcement organizations to the Peace Officer Standards and Training Council.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53-6-106**, as last amended by Laws of Utah 2012, Chapters 108 and 296

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

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

**53-6-106. Creation of Peace Officer Standards and Training Council -- Purpose --**



26 **Membership -- Quorum -- Meetings -- Compensation.**

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

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

30 (3) The council includes:

31 (a) the attorney general or a designated representative;

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

33 (c) the executive director of the Department of Corrections or a designated  
34 representative; and

35 (d) [~~14~~] 15 additional members appointed by the governor having qualifications,  
36 experience, or education in the field of law enforcement as follows:

37 (i) one incumbent mayor;

38 (ii) one incumbent county commissioner;

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

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

45 (v) a representative of the Utah Peace Officers Association;

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

47 [~~and~~]

48 (vii) a current or former Utah certified law enforcement officer who represents the  
49 Utah State Fraternal Order of Police, the Salt Lake Valley Law Enforcement Association, the  
50 Salt Lake Police Association, or the Utah Highway Patrol Association; and

51 [~~(vii)] (viii) four persons selected at large by the governor.~~

52 (4) (a) Except as required by Subsection (4)(b), the [~~14~~] 15 members of the council  
53 shall be appointed by the governor for four-year terms.

54 (b) Notwithstanding the requirements of Subsection (4)(a), the governor shall, at the  
55 time of appointment or reappointment, adjust the length of terms to ensure that the terms of  
56 council members are staggered so that approximately half of the council is appointed every two

57 years.

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

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

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

63 (a) immediately upon the termination of the member's holding the office or  
64 employment that was the basis for eligibility to membership on the council; or

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

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

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

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

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

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

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

75 (a) Section [63A-3-106](#);

76 (b) Section [63A-3-107](#); and

77 (c) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and  
78 [63A-3-107](#).

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