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

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

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

(1) Before being accepted for admission to the training programs conducted by a certified academy, and before being allowed to take a certification examination, each applicant for admission or certification examination shall meet the following requirements:

~~[(a) be a United States citizen;]~~

(a) be either:

(i) a United States citizen; or

(ii) a lawful ~~H~~→ [permanent] ←~~H~~ resident of the United States who:

(A) has been in the United States legally for at least five years; and

(B) has legal authorization to work in the United States;

(b) be at least:

(i) 21 years ~~[of age]~~ old at the time of certification as a special function officer; or

(ii) as of July 1, 2019, 19 years ~~[of age]~~ old at the time of certification as a correctional officer;

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

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

(e) have demonstrated good moral character, as determined by a background investigation; ~~[and]~~

(f) be free of any physical, emotional, or mental condition that might adversely affect the performance of the applicant's duties as a peace officer[-]; and

(g) meet all other standards required by POST.

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

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

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

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

65 (4) Any background check or background investigation performed pursuant to the
66 requirements of this section shall be to determine eligibility for admission to training programs
67 or qualification for certification examinations and may not be used as a replacement for any
68 background investigations that may be required of an employing agency.

69 (5) An applicant shall be considered to be of good moral character under Subsection
70 (1)(e) if the applicant has not engaged in conduct that would be a violation of Subsection
71 53-6-211(1).

72 (6) An applicant seeking certification as a law enforcement officer, as defined in
73 Section 53-13-103, shall be qualified to possess a firearm under state and federal law.

74 Section 2. Section **53-6-302** is amended to read:

75 **53-6-302. Applicants for certification examination -- Requirements.**

76 (1) Before being allowed to take a dispatcher certification examination, each applicant
77 shall meet the following requirements:

78 [~~(a) be a United States citizen;~~]

79 (a) be either:

80 (i) a United States citizen; or

81 (ii) a lawful ~~H~~→ [permanent] ←~~H~~ resident of the United States who:

82 (A) has been in the United States legally for at least five years; and

83 (B) has legal authorization to work in the United States;

84 (b) be 18 years [~~of age~~] old or older at the time of employment as a dispatcher;

85 (c) be a high school graduate or have a G.E.D. equivalent;

86 (d) have not been convicted of a crime for which the applicant could have been

87 punished by imprisonment in a federal penitentiary or by imprisonment in the penitentiary of