

1 PEACE OFFICER TRAINING QUALIFICATIONS

2 AMENDMENTS

3 2021 GENERAL SESSION

4 STATE OF UTAH

5 Chief Sponsor: Karen Mayne

6 House Sponsor: Paul Ray

7

8 LONG TITLE

9 General Description:

10 This bill permits some lawful permanent residents to apply to become peace officers.

11 Highlighted Provisions:

12 This bill:

13 ▶ permits lawful permanent residents who meet certain requirements to apply to
14 become peace officers.

15 Money Appropriated in this Bill:

16 None

17 Other Special Clauses:

18 None

19 Utah Code Sections Affected:

20 AMENDS:

21 53-6-203, as last amended by Laws of Utah 2019, Chapter 90

22 63I-1-253, as last amended by Laws of Utah 2020, Chapters 154, 174, 214, 234, 242,
23 269, 335, and 354

24

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 (a) be either:

34 (i) a United States citizen; or

35 (ii) a lawful permanent resident of the United States who:

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

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

38 (b) be at least:

39 (i) 21 years of age at the time of certification as a special function officer; or

40 (ii) as of July 1, 2019, 19 years of age at the time of certification as a correctional
41 officer;

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

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

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

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

51 (g) meet all other standards required by POST.

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

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

57 (3) (a) Notwithstanding any expungement statute or rule of any other jurisdiction, any
58 conviction obtained in this state or other jurisdiction, including a conviction that has been

59 expunged, dismissed, or treated in a similar manner to either of these procedures, may be
60 considered for purposes of this section.

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

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

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

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

72 Section 2. Section **63I-1-253** is amended to read:

73 **63I-1-253. Repeal dates, Titles 53 through 53G.**

74 (1) Section [53-2a-105](#), which creates the Emergency Management Administration
75 Council, is repealed July 1, 2021.

76 (2) Sections [53-2a-1103](#) and [53-2a-1104](#), which create the Search and Rescue Advisory
77 Board, are repealed July 1, 2022.

78 (3) Section [53-5-703](#), which creates the Concealed Firearm Review Board, is repealed
79 July 1, 2023.

80 (4) Subsection [53-6-203\(1\)\(b\)\(a\)\(ii\)](#), regarding being 19 years old at certification, is
81 repealed July 1, 2027.

82 (5) Subsection [53-13-104\(6\)\(a\)](#), regarding being 19 years old at certification, is
83 repealed July 1, 2027.

84 (6) Section [53B-6-105.5](#), which creates the Technology Initiative Advisory Board, is
85 repealed July 1, 2024.

86 (7) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.

87 (8) Section [53B-17-1203](#), which creates the SafeUT and School Safety Commission, is
88 repealed January 1, 2025.

89 (9) Section [53B-18-1501](#) is repealed July 1, 2021.

90 (10) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1, 2028.

91 (11) Title 53B, Chapter 24, Part 4, Rural Residency Training Program, is repealed July
92 1, 2025.

93 (12) Subsection 53C-3-203(4)(b)(vii), which provides for the distribution of money
94 from the Land Exchange Distribution Account to the Geological Survey for test wells and other
95 hydrologic studies in the West Desert, is repealed July 1, 2030.

96 (13) Section 53E-3-515 is repealed January 1, 2023.

97 (14) In relation to a standards review committee, on January 1, 2023:

98 (a) in Subsection 53E-4-202(8), the language "by a standards review committee and the
99 recommendations of a standards review committee established under Section 53E-4-203" is
100 repealed; and

101 (b) Section 53E-4-203 is repealed.

102 (15) Subsections 53E-3-503(5) and (6), which create coordinating councils for youth in
103 custody, are repealed July 1, 2027.

104 (16) Section 53E-4-402, which creates the State Instructional Materials Commission, is
105 repealed July 1, 2022.

106 (17) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory Commission, is
107 repealed July 1, 2023.

108 (18) Subsection 53E-8-204(4), which creates the advisory council for the Utah Schools
109 for the Deaf and the Blind, is repealed July 1, 2021.

110 [~~(19) Section 53F-2-514 is repealed July 1, 2020.~~]

111 [(20)] (19) Section 53F-5-203 is repealed July 1, 2024.

112 [(21)] (20) Section 53F-5-212 is repealed July 1, 2024.

113 [(22)] (21) Section 53F-5-213 is repealed July 1, 2023.

114 [(23)] (22) Section 53F-5-214, in relation to a grant for professional learning, is
115 repealed July 1, 2025.

116 [(24)] (23) Section 53F-5-215, in relation to an elementary teacher preparation grant is
117 repealed July 1, 2025.

118 [(25)] (24) Subsection 53F-9-203(7), which creates the Charter School Revolving
119 Account Committee, is repealed July 1, 2024.

120 [(26)] (25) Section 53F-9-501 is repealed January 1, 2023.

121 [~~27~~] (26) Subsections [53G-4-608](#)(2)(b) and (4)(b), related to the Utah Seismic Safety
122 Commission, are repealed January 1, 2025.

123 [~~28~~] (27) Subsection [53G-8-211](#)(5), regarding referrals of a minor to court for a class
124 C misdemeanor, is repealed July 1, 2022.