

USE OF FORCE AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel W. Thatcher

House Sponsor: Sandra Hollins

LONG TITLE

General Description:

This bill addresses statewide use of force standards for peace officers.

Highlighted Provisions:

This bill:

- ▶ requires the Peace Officer Standards and Training Council to establish statewide minimum use of force standards and consider changes to the standards based on an annual review; and

- ▶ requires peace officers and law enforcement agencies to comply with and enforce the statewide minimum use of force standards.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-6-107, as last amended by Laws of Utah 2020, Chapter 35

ENACTS:

53-6-109, Utah Code Annotated 1953

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



28 Section 1. Section 53-6-107 is amended to read:

29 **53-6-107. General duties of council.**

30 (1) The council shall:

31 (a) advise the director regarding:

32 (i) the approval, certification, or revocation of certification of any certified academy
33 established in the state;

34 (ii) minimum courses of study, attendance requirements, and the equipment and
35 facilities to be required at a certified academy;

36 (iii) minimum qualifications for instructors at a certified academy;

37 (iv) the minimum basic training requirements that peace officers shall complete before
38 receiving certification;

39 (v) the minimum basic training requirements that dispatchers shall complete before
40 receiving certification; and

41 (vi) categories or classifications of advanced in-service training programs and
42 minimum courses of study and attendance requirements for the categories or classifications;

43 (b) recommend that studies, surveys, or reports, or all of them be made by the director
44 concerning the implementation of the objectives and purposes of this chapter;

45 (c) make recommendations and reports to the commissioner and governor from time to
46 time;

47 ~~[(d) perform other acts as necessary to carry out the duties of the council in this
48 chapter; and]~~

49 ~~[(e)]~~ (d) choose from the sanctions to be imposed against certified peace officers as
50 provided in Section 53-6-211, and dispatchers as provided in Section 53-6-309[.];

51 (e) establish minimum use of force standards for all peace officers in the state and
52 annually review and update the standards based on the most current information and best
53 practices; and

54 (f) perform other acts as necessary to carry out the duties of the council in this chapter.

55 (2) The council may approve special function officers for membership in the Public
56 Safety Retirement System in accordance with Sections 49-14-201 and 49-15-201.

57 Section 2. Section 53-6-109 is enacted to read:

58 **53-6-109. Mandatory compliance with minimum use of force standards.**

59 Peace officers and the agencies that employ peace officers shall comply with, and
60 enforce compliance with, the minimum use of force standards described in Subsection
61 [53-6-107\(1\)\(e\)](#).