

Representative Mike Winder proposes the following substitute bill:

POST COUNCIL MEMBERSHIP AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Mike Winder

Senate Sponsor: Daniel W. Thatcher

6	Cosponsors:	Sandra Hollins	Ryan D. Wilcox
7	Matthew H. Gwynn	Karen Kwan	

LONG TITLE

General Description:

This bill modifies the representatives on the Peace Officer Standards and Training (POST) Council.

Highlighted Provisions:

This bill:

- ▶ adds a certified law enforcement officer to the POST Council;
- ▶ reduces the number of at-large members on the POST Council; and
- ▶ makes technical changes.

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



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

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

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

(3) The council includes:

(a) the attorney general or a designated representative;

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

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

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

(i) one incumbent mayor;

(ii) one incumbent county commissioner;

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

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

(v) ~~[a]~~ one representative of the Utah Peace Officers Association;

(vi) ~~[an]~~ one educator in the field of public administration, criminal justice, or a related area; ~~[and]~~

(vii) one current Utah certified law enforcement officer, employed in a non-supervisory role, rotated every term; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

77 (a) Section 63A-3-106;

78 (b) Section 63A-3-107; and

79 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
80 63A-3-107.

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