

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 12-1163

BY REPRESENTATIVE(S) Waller, Barker, Kerr J., Pace, Todd;
also SENATOR(S) Morse, King S., Newell, Nicholson.

CONCERNING LIMITED PEACE OFFICER AUTHORITY DESIGNATIONS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 24-31-301, **amend** (2);
and **repeal** (3.5) as follows:

24-31-301. Definitions. As used in this part 3, unless the context
otherwise requires:

(2) "Certification" means the issuance to an applicant of a signed instrument evidencing that such applicant has met the requirements imposed by this part 3 and the P.O.S.T. board. Certification includes "basic certification" AND "provisional certification" and ~~"conditional peace officer authority"~~ that shall be issued to peace officers, "reserve certification" that shall be issued to reserve peace officers, and such additional certifications as the board may approve for peace officers.

(3.5) ~~"Conditional peace officer authority" means a signed instrument issued by the P.O.S.T. board that allows any person to serve as~~

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

~~a peace officer described in sections 16-2.5-102, 16-2.5-103 (1), 16-2.5-105 to 16-2.5-114, 16-2.5-116 (1), 16-2.5-117 (1), 16-2.5-120, 16-2.5-121, 16-2.5-123 to 16-2.5-126, 16-2.5-128 to 16-2.5-130, 16-2.5-132 to 16-2.5-136, 16-2.5-139 to 16-2.5-142, 16-2.5-145, and 16-2.5-146, C.R.S.~~

SECTION 2. In Colorado Revised Statutes, 24-31-305, **repeal** (1) (c).

SECTION 3. In Colorado Revised Statutes, 24-31-308, **amend** (1) (a) as follows:

24-31-308. Reciprocity - provisional certificate. (1) The P.O.S.T. board is authorized to grant a provisional certificate to any person who:

(a) Has been authorized to act as a peace officer in another state or federal jurisdiction, excluding the armed forces, ~~for at least~~ WITHIN the preceding three years and has served as a certified law enforcement officer in good standing in such other state or federal jurisdiction for more than one year;

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2012 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Frank McNulty
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Brandon C. Shaffer
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO