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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 465

02/13/2025 Authored by Harder and Fogelman
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; requiring that peace officers be United States citizens;
1.3 amending Minnesota Statutes 2024, sections 626.843, subdivision 1; 626.845,
1.4 subdivision 1, by adding a subdivision; 626.87, subdivision 1.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2024, section 626.843, subdivision 1, is amended to read:

1.7 Subdivision 1. Rules required. The board shall adopt rules with respect to:

1.8 (1) the certification of postsecondary schools to provide programs of professional peace
1.9 officer education;

1.10 (2) minimum courses of study and equipment and facilities to be required at each certified
1.11 school within the state;

1.12 (3) minimum qualifications for coordinators and instructors at certified schools offering
1.13 a program of professional peace officer education located within this state;

1.14 (4) minimum standards of physical, mental, and educational fitness which shall govern
1.15 the admission to professional peace officer education programs and the licensing of peace
1.16 officers within the state, by any state, county, municipality, or joint or contractual
1.17 combination thereof, including members of the Minnesota State Patrol;

1.18 (5) board-approved continuing education courses that ensure professional competence
1.19 of peace officers and part-time peace officers;

1.20 (6) minimum standards of conduct which would affect the individual's performance of
1.21 duties as a peace officer. These standards shall be established and published. The board

2.1 shall review the minimum standards of conduct described in this clause for possible  
2.2 modification in 1998 and every three years after that time;

2.3 (7) a set of educational learning objectives that must be met within a certified school's  
2.4 professional peace officer education program. These learning objectives must concentrate  
2.5 on the knowledge, skills, and abilities deemed essential for a peace officer. Education in  
2.6 these learning objectives shall be deemed satisfactory for the completion of the minimum  
2.7 basic training requirement;

2.8 (8) the establishment and use by any political subdivision or state law enforcement  
2.9 agency that employs persons licensed by the board of procedures for investigation and  
2.10 resolution of allegations of misconduct by persons licensed by the board. The procedures  
2.11 shall be in writing and shall be established on or before October 1, 1984;

2.12 (9) the issues that must be considered by each political subdivision and state law  
2.13 enforcement agency that employs persons licensed by the board in establishing procedures  
2.14 under section 626.5532 to govern the conduct of peace officers who are in pursuit of a  
2.15 vehicle being operated in violation of section 609.487, and requirements for the training of  
2.16 peace officers in conducting pursuits. The adoption of specific procedures and requirements  
2.17 is within the authority of the political subdivision or agency;

2.18 (10) supervision of part-time peace officers and requirements for documentation of hours  
2.19 worked by a part-time peace officer who is on active duty. These rules shall be adopted by  
2.20 December 31, 1993;

2.21 ~~(11) citizenship requirements for peace officers and part-time peace officers;~~

2.22 ~~(12)~~ (11) driver's license requirements for peace officers and part-time peace officers;  
2.23 and

2.24 ~~(13)~~ (12) such other matters as may be necessary consistent with sections 626.84 to  
2.25 626.863. Rules promulgated by the attorney general with respect to these matters may be  
2.26 continued in force by resolution of the board if the board finds the rules to be consistent  
2.27 with sections 626.84 to 626.863.

2.28 Sec. 2. Minnesota Statutes 2024, section 626.845, subdivision 1, is amended to read:

2.29 Subdivision 1. **Powers and duties.** The board shall have the following powers and  
2.30 duties:

3.1 (1) to certify postsecondary schools to provide programs of professional peace officer  
3.2 education based on a set of board-approved professional peace officer education learning  
3.3 objectives;

3.4 (2) to issue certificates to postsecondary schools, and to revoke certification when  
3.5 necessary to maintain the objectives and purposes of sections 626.841 to 626.863;

3.6 (3) to license peace officers who have met the minimum qualifications mandated by  
3.7 statute or rule, including education and experience requirements and ~~passed~~ passing all  
3.8 required examinations as ~~required by the board~~;

3.9 (4) to develop and administer licensing examinations based on the board's learning  
3.10 objectives;

3.11 (5) to consult and cooperate with continuing education providers for the development  
3.12 of in-service training programs for peace officers;

3.13 (6) to consult and cooperate with postsecondary schools for the development and  
3.14 improvement of professional peace officer education;

3.15 (7) to consult and cooperate with other departments and agencies of the state and federal  
3.16 government concerned with peace officer standards and training;

3.17 (8) to perform such other acts as may be necessary and appropriate to carry out the  
3.18 powers and duties of sections 626.841 to 626.863;

3.19 (9) to obtain criminal conviction data for persons seeking a license to be issued or  
3.20 possessing a license issued by the board. The board shall have authority to obtain criminal  
3.21 conviction data to the full extent that any other law enforcement agency, as that term is  
3.22 defined by state or federal law, has to obtain the data;

3.23 (10) to prepare and transmit annually to the governor a report of its activities with respect  
3.24 to allocation of money appropriated to it for peace officers training, including the name of  
3.25 each recipient of money for that purpose and the amount awarded; and

3.26 (11) to assist and cooperate with any political subdivision or state law enforcement  
3.27 agency that employs persons licensed by the board to establish written policies as mandated  
3.28 by the state pertaining to persons licensed by the board, and to enforce licensing sanctions  
3.29 for failure to implement these policies.

3.30 In addition, the board may maintain data received from law enforcement agencies under  
3.31 section 626.87, subdivision 5, provide the data to requesting law enforcement agencies who  
3.32 are conducting background investigations, and maintain data on applicants and licensees

4.1 as part of peace officer license data. The data that may be maintained include the name of  
4.2 the law enforcement agency conducting the investigation and data on the candidate provided  
4.3 under section 626.87, subdivision 5, clauses (1) and (2).

4.4 Sec. 3. Minnesota Statutes 2024, section 626.845, is amended by adding a subdivision to  
4.5 read:

4.6 Subd. 4. **Citizenship required.** (a) Except as provided for in paragraph (b), the board  
4.7 may not issue a peace officer license to an applicant who is not a citizen of the United States.

4.8 (b) If the board issued a license to a peace officer who is not a citizen of the United  
4.9 States prior to July 1, 2025, the board may continue to license the peace officer until June  
4.10 30, 2027, as long as the peace officer meets all other requirements for licensure.

4.11 Sec. 4. Minnesota Statutes 2024, section 626.87, subdivision 1, is amended to read:

4.12 Subdivision 1. **Background investigation required.** (a) A law enforcement agency  
4.13 shall conduct a thorough background investigation on an applicant for employment as a  
4.14 licensed peace officer or an applicant for a position leading to employment as a licensed  
4.15 peace officer before the applicant may be employed. The background investigation must  
4.16 determine at a minimum whether the candidate meets the following standards:

4.17 (1) standards established by the Minnesota Board of Peace Officer Standards and  
4.18 Training; ~~and~~

4.19 (2) established security standards for access to state and national computerized record  
4.20 and communication systems; and

4.21 (3) is a citizen of the United States.

4.22 (b) This requirement does not prevent a law enforcement agency from establishing higher  
4.23 standards for law enforcement employees if those standards are not contrary to applicable  
4.24 law.