

1 **PEACE OFFICER CERTIFICATES**

2 2014 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Richard A. Greenwood**

5 Senate Sponsor: Daniel W. Thatcher

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies the Peace Officer Standards and Training Act regarding certification
10 of peace officers.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ clarifies that a peace officer certification becomes inactive if a peace officer has not
14 been actively engaged in performing the duties as a certified and sworn peace
15 officer for 18 consecutive months;

16 ▶ provides that a peace officer certification be designated as lapsed if a peace officer
17 has not been actively engaged in performing the duties as a certified and sworn
18 peace officer for four continuous years; and

19 ▶ makes a technical correction.

20 **Money Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 None

24 **Utah Code Sections Affected:**

25 AMENDS:

26 **53-6-208**, as last amended by Laws of Utah 2011, Chapter 58

27 **53-6-211.5**, as enacted by Laws of Utah 2010, Chapter 313

28
29 *Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section **53-6-208** is amended to read:

31 **53-6-208. Inactive certificates -- Lapse of certificate -- Reinstatement.**

32 (1) (a) The certificate of a peace officer who has not been actively engaged in
33 performing the duties [~~of a~~] as a certified and sworn peace officer for 18 consecutive months or
34 more, but less than four consecutive years, is designated "inactive."

35 (b) A peace officer whose certificate is inactive shall pass the certification examination
36 and a physical fitness test before the certificate may be reissued or reinstated.

37 (2) (a) The certificate of a peace officer who has not been actively engaged in
38 performing the duties [~~of a~~] as a certified and sworn peace officer for four continuous years or
39 more is designated as "lapsed."

40 (b) A peace officer whose certificate is lapsed shall pass the basic training course at a
41 certified academy, the certification examination, and a physical fitness test before the
42 certificate may be reissued or reinstated.

43 Section 2. Section **53-6-211.5** is amended to read:

44 **53-6-211.5. Voluntary relinquishment of peace officer certification.**

45 (1) A peace officer may voluntarily relinquish the peace officer's certification to the
46 division at any time when a disciplinary issue regarding the peace officer has been referred to
47 the division.

48 (2) (a) A peace officer who voluntarily relinquishes certification under this section may
49 not subsequently be certified as a peace officer in this state.

50 (b) This section does not apply to a peace officer whose certification has become
51 inactive or has lapsed as provided in Section **53-6-208**.