

PUBLIC SAFETY OFFICER SCHOLARSHIP PROGRAM

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Don L. Ipson

House Sponsor: _____

LONG TITLE

General Description:

This bill enacts a public safety officer scholarship program for high school students entering into a law enforcement career.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates a public safety officer scholarship program for high school graduates who:
 - enroll in a law enforcement agency cadet program;
 - seek a degree program in higher education; and
 - after Peace Officer Standards and Training (POST) certification, commit to a peace officer career of a certain minimum duration;
- ▶ establishes application and work requirement processes;
- ▶ allows for institutions of higher education to determine participation in the program;
- ▶ requires a scholarship recipient to report certification and employment statuses to the Utah Board of Higher Education (board);
- ▶ requires the POST Division to report employment status changes to the board;
- ▶ provides for repayment of scholarship funds in the case of a failure to meet program requirements;
- ▶ grants the board rulemaking authority;
- ▶ amends board requirements to create a pathway plan for high school students



28 interested in law enforcement; and
29 ▶ makes technical and conforming changes.

30 **Money Appropriated in this Bill:**

31 None

32 **Other Special Clauses:**

33 None

34 **Utah Code Sections Affected:**

35 AMENDS:

36 **53-6-209**, as last amended by Laws of Utah 2021, Chapter 311

37 **53B-8-112**, as last amended by Laws of Utah 2022, Chapters 370, 456

38 **53B-10-106**, as enacted by Laws of Utah 2022, Chapter 370

39 ENACTS:

40 **53B-8-112.5**, Utah Code Annotated 1953



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

43 Section 1. Section **53-6-209** is amended to read:

44 **53-6-209. Termination of employment -- Change of status form.**

45 (1) When a peace officer's employment terminates, the employing agency shall submit
46 a change of status form noting the termination of the peace officer to the division.

47 (2) The change of status form shall:

48 (a) be completed and submitted within 30 days [~~of the peace officer's termination date~~]
49 after the day on which the peace officer's employment terminates;

50 (b) identify the circumstances of the peace officer's status change by indicating that the
51 peace officer has resigned, retired, terminated, transferred, is deceased, or that the peace
52 officer's name has changed;

53 (c) indicate the effective date of action; and

54 (d) indicate the name of the new employer, if the status change is due to a transfer.

55 (3) If a peace officer's employment terminates during an open internal investigation
56 regarding that peace officer and involving an alleged violation of Subsection **53-6-211(1)**, the
57 employing agency shall:

58 (a) notify the division of the investigation in accordance with Subsection **53-6-211(6)**

59 within 30 days ~~[of the peace officer's termination date]~~ after the day on which the peace
 60 officer's employment terminates and

61 (b) provide a reasonable estimated date of completion for the investigation.

62 (4) (a) If an employing agency receives credible allegations and opens an internal
 63 investigation within two years after ~~[a peace officer's employment has been terminated]~~ the day
 64 on which a peace officer's employment terminates, the employing agency shall:

65 (i) notify the division within 30 days ~~[of the date of the opening of the]~~ after the day on
 66 which the employing agency opens the investigation; and

67 (ii) provide a reasonable estimated date of completion for the investigation.

68 (b) If the allegations described in Subsection (4)(a) involve alleged violations of
 69 Subsection [53-6-211](#)(1), the agency shall report the allegations to the division in accordance
 70 with Subsection [53-6-211](#)(6), regardless of whether ~~[or not]~~ the employing agency opens an
 71 internal investigation.

72 (5) Any person or agency who intentionally falsifies, misrepresents, or fails to give
 73 notice of the change of status of a peace officer is liable to the division for any damages that
 74 ~~[may be sustained by]~~ the failure to make the notification~~[-]~~ causes. The division shall provide
 75 the change of status form described in this section to the Utah Board of Higher Education
 76 within 30 days after the day on which the division receives a notice of termination if the
 77 relevant peace officer has received a Public Safety Officer Scholarship as described in Section
 78 [53B-8-112.5](#).

79 Section 2. Section [53B-8-112](#) is amended to read:

80 **[53B-8-112. Public Safety Officer Career Advancement Grant Program.](#)**

81 (1) ~~[The]~~ This section creates the Public Safety Officer Career Advancement Grant
 82 Program ~~[is created]~~.

83 (2) Subject to legislative appropriations and Subsection ~~[(6)]~~ (7), the board shall award
 84 a grant to an applicant who:

85 (a) is a certified peace officer, currently employed by a law enforcement agency within
 86 the state; and

87 (b) is seeking a post-secondary degree in the area of criminal justice from a
 88 ~~[credit-granting higher education institution]~~ degree-granting institution of higher education
 89 within the state system of higher education, described in Section [53B-1-102](#).

90 (3) (a) Subject to Subsection (3)(b), the board may award a qualified applicant up to
91 the cost of tuition and fees.

92 (b) A grant award under Subsection (3)(a) is limited to:

93 (i) a maximum of \$5,000 each academic year; and

94 (ii) a maximum of four academic years.

95 (4) The board shall design the program to [~~use a packaging approach that ensures~~]
96 ensure that institutions combine loans, grants, employment, and family and individual
97 contributions toward financing the cost of attendance.

98 (5) Notwithstanding Subsection (4), the board may not award a scholarship described
99 in Section 53B-8-112.5 to an applicant receiving a grant under this section.

100 [~~(5)~~] (6) (a) The board shall make rules in accordance with Title 63G, Chapter 3, Utah
101 Administrative Rulemaking Act, to:

102 (i) set deadlines for receiving grant applications and supporting documentation; and

103 (ii) establish the application process and an appeal process for the Public Safety Officer
104 Career Advancement Grant Program.

105 (b) The board shall include a disclosure on all applications and related materials that
106 the amount of the awarded grants may be subject to funding or be reduced, in accordance with
107 Subsection [~~(6)~~] (7).

108 [~~(6)~~] (7) (a) Subject to future budget constraints, the Legislature shall make an annual
109 appropriation from the Income Tax Fund to the board for the costs associated with the Public
110 Safety Officer Career Advancement Grant Program authorized under this section.

111 (b) Notwithstanding the provisions of this section, if the appropriation under this
112 section is insufficient to cover the costs associated with the Public Safety Officer Career
113 Advancement Grant Program, the board may:

114 (i) reduce the amount of a grant; or

115 (ii) distribute grants on a pro rata basis to all eligible applicants who submitted a
116 complete application before the application deadline.

117 (8) Notwithstanding Subsection 53B-8-112.5(5), the board may not award a grant
118 under this section to an applicant receiving a scholarship under the Public Safety Officer
119 Scholarship Program described in Section 53B-8-112.5.

120 Section 3. Section 53B-8-112.5 is enacted to read:

- 121 **53B-8-112.5. Public Safety Officer Scholarship Program.**
- 122 (1) As used in this section:
- 123 (a) "Peace officer" means the same as that term is defined in Section [53B-8c-102](#).
- 124 (b) "POST" means the Peace Officer Standards and Training Division created in
- 125 Section [53-6-103](#).
- 126 (c) "Program" means the Public Safety Officer Scholarship Program that this section
- 127 creates.
- 128 (2) This section creates the Public Safety Officer Scholarship Program.
- 129 (3) (a) Subject to legislative appropriations, the board shall award a scholarship to a
- 130 qualified applicant who:
- 131 (i) is a high school graduate;
- 132 (ii) submits an application to the board with a copy of the student's high school
- 133 diploma;
- 134 (iii) is enrolled in a basic training course at a state certified academy as defined in
- 135 Section [53-6-202](#);
- 136 (iv) is enrolled in a qualifying post-secondary degree program from a degree-granting
- 137 institution of higher education within the state system of higher education, described in Section
- 138 [53B-1-102](#); and
- 139 (v) commits to working as a peace officer for no less than five years after the day on
- 140 which POST certifies the scholarship recipient.
- 141 (b) For purposes of Subsection (3)(a)(iv), a degree-granting institution shall determine:
- 142 (i) the institution's participation in the program; and
- 143 (ii) the degrees the institution will grant, including criminal justice, police
- 144 administration, criminology, social sciences, and other related disciplines.
- 145 (4) (a) The board shall determine the amount of a scholarship award, ensuring that the
- 146 amount does not exceed the combined cost of tuition, fees, and required textbooks.
- 147 (b) A scholarship award described in Subsection (4)(a) is limited to:
- 148 (i) POST training and certification in accordance with Title 53, Chapter 6, Peace
- 149 Officer Standards and Training Act; and
- 150 (ii) a maximum of four academic years in a post-secondary degree program.
- 151 (5) The board shall design the scholarship program to ensure that participating

152 institutions combine state or federal loans or grants, internships, student employment, and
153 family and individual contributions toward financing the cost of attendance.

154 (6) A scholarship recipient shall:

155 (a) notify the board of the scholarship recipient's POST certification within 15 days
156 after the day on which POST certifies the scholarship recipient;

157 (b) submit verification of the scholarship recipient's employment to the board within 15
158 days after the day on which the scholarship recipient is employed as a peace officer, including:

159 (i) the employer's name, address, and telephone number;

160 (ii) the date of the scholarship recipient's hiring; and

161 (iii) the scholarship recipient's job title; and

162 (c) notify the board within 15 days after the day on which the employer terminates the
163 scholarship recipient.

164 (7) A scholarship recipient shall repay to the board the full amount of the scholarship
165 award that the scholarship recipient received under the program, including money paid for
166 tuition, fees, and required textbooks, if the scholarship recipient fails to:

167 (a) meet the requirements for POST certification as described in Title 53, Chapter 6,
168 Part 2, Peace Officer Training and Certification Act;

169 (b) work as a peace officer for less than five years after the day on which POST
170 certifies the scholarship recipient; or

171 (c) subject to Subsection (3), earn a degree within four contiguous academic years
172 beginning on the day on which the scholarship recipient enrolls in a post-secondary degree
173 program.

174 (8) (a) The board shall make rules, in accordance with Title 63G, Chapter 3, Utah
175 Administrative Rulemaking Act, to:

176 (i) set deadlines for receiving scholarship applications and supporting documentation;

177 (ii) establish an application process and appeal process for the program;

178 (iii) establish policies and procedures for cancellation or repayment of scholarship
179 awards if the scholarship recipient fails to meet the requirements under this section;

180 (iv) collaborate with POST and other law enforcement and correction agencies to
181 provide high school students information on law enforcement careers; and

182 (v) notify POST when a student receives a scholarship under the program.

183 **(b) The board shall include a disclosure on all applications and materials related to the**
184 **program that the amount of the awarded scholarship may be subject to funding availability or**
185 **reduction in accordance with Subsection (9).**

186 **(9) If an appropriation under this section is insufficient to cover the costs associated**
187 **with the program, the board may:**

188 **(a) reduce the amount of a scholarship award; and**

189 **(b) distribute scholarship awards on a pro rata basis to all eligible applicants who**
190 **submitted a complete application before the application deadline.**

191 Section 4. Section **53B-10-106** is amended to read:

192 **53B-10-106. Pathways development.**

193 (1) The board shall develop and implement a plan that creates clear educational
194 pathways:

195 (a) from a technical college described in Subsection [53B-1-102\(1\)\(b\)](#) to an institution;
196 [~~and~~]

197 (b) in course work leading to a qualifying [~~degree~~] job or a qualifying [~~job~~] degree as
198 described in Section [53B-10-203](#)[~~;~~]; and

199 (c) for high schools that offer criminal justice or protective services pathways
200 programs, including information on:

201 (i) available concurrent enrollment classes in subjects described in Section
202 [53B-8-112.5](#); and

203 (ii) scholarship opportunities for careers as peace officers as defined in Section
204 [53B-8c-102](#).

205 (2) The plan shall maximize efficiencies in transferring [~~earned~~] earned credit and help
206 align academic programs with workforce needs.

207 (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
208 board may make rules necessary to establish a plan described in this section.