

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 14-0760.01 Michael Dohr x4347

SENATE BILL 14-123

SENATE SPONSORSHIP

Guzman,

HOUSE SPONSORSHIP

Kagan,

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 CONCERNING THE AUTHORITY OF THE PEACE OFFICERS STANDARDS
102 AND TRAINING BOARD, AND, IN CONNECTION THEREWITH,
103 PROVIDING ADDITIONAL RULE-MAKING AUTHORITY; RAISING
104 THE MAXIMUM FEE FOR CERTIFICATION AND SKILLS EXAMS;
105 ALLOWING AWARDING GRANTS TO NONPROFIT ORGANIZATIONS;
106 AND DENYING CERTIFICATION FOR MUNICIPAL VIOLATIONS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

The bill gives the peace officers standards and training board (P.O.S.T. board) the authority to promulgate rules regarding:

- ! Certification of inspectors of vehicle identification numbers;
- ! Annual in-service training requirements for certified peace officers and the suspension of certification for the failure to receive annual in-service training;
- ! Any necessary or proper rules that carry out the provisions and purposes of the P.O.S.T. board; and
- ! Procedures for reinstatement of suspensions of certification.

The bill raises the maximum fee for certification and skills examinations from \$125 to \$150.

Under current law, the P.O.S.T. board can provide grants to local governments and colleges and universities to fund training programs. The bill also allows grants to nonprofit organizations.

The bill allows the P.O.S.T. board to deny certification to anyone who is convicted of a municipal violation that is the equivalent of any of the state law violations that permit denial of certification.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-31-303, **amend**
3 (1) (e), (1) (j), (2) (a) (II), and (3); and **add** (1) (l) and (1) (m) as follows:

4 **24-31-303. Duties - powers of the P.O.S.T. board.** (1) The
5 P.O.S.T. board has the following duties:

6 (e) To certify inspectors of vehicle identification numbers,
7 PROMULGATE RULES DEEMED NECESSARY BY THE BOARD FOR
8 CERTIFICATION OF INSPECTORS OF VEHICLE IDENTIFICATION NUMBERS, and
9 approve RELATED training courses; ~~relating thereto;~~

10 (j) To establish standards for training of school resource officers,
11 as described in section 24-31-312; ~~and~~

12 (l) TO PROMULGATE RULES DEEMED NECESSARY BY THE BOARD
13 CONCERNING ANNUAL IN-SERVICE TRAINING REQUIREMENTS FOR
14 CERTIFIED PEACE OFFICERS AND CONCERNING THE SUSPENSION OF

1 CERTIFICATION FOR THE FAILURE TO RECEIVE ANNUAL IN-SERVICE
2 TRAINING; AND

3 (m) IN ADDITION TO ALL OTHER POWERS CONFERRED AND IMPOSED
4 UPON THE BOARD IN THIS ARTICLE, THE BOARD HAS THE POWER AND DUTY
5 TO ADOPT AND PROMULGATE, UNDER THE PROVISIONS OF SECTION
6 24-4-103, RULES AS THE BOARD MAY DEEM NECESSARY OR PROPER TO
7 CARRY OUT THE PROVISIONS AND PURPOSES OF THIS ARTICLE, WHICH
8 RULES MUST BE FAIR, IMPARTIAL, AND NONDISCRIMINATORY.

9 (2) (a) The P.O.S.T. board may charge the following fees, the
10 proceeds of which may be used to support the certification of applicants
11 pursuant to this part 3:

12 (II) For the administration of certification and skills examinations,
13 an amount not to exceed one hundred ~~twenty-five~~ FIFTY dollars per
14 examination per applicant.

15 (3) The P.O.S.T. board may make grants to local governments, ~~or~~
16 ~~to~~ any college or university, OR ANY NONPROFIT for the purpose of
17 funding the training programs required by this section.

18 **SECTION 2.** In Colorado Revised Statutes, 24-31-305, **amend**
19 (1.5) (g), (1.5) (h), and (2) (b) (II); and **add** (1.5) (i) as follows:

20 **24-31-305. Certification - issuance - renewal - revocation.**

21 (1.5) The P.O.S.T. board shall deny certification to any person who has
22 been convicted of:

23 (g) Any misdemeanor in violation of section 18-6-403 (3) (b.5),
24 C.R.S., as it existed prior to July 1, 2006; ~~or~~

25 (h) Any misdemeanor in violation of federal law or the law of any
26 state that is the equivalent of any of the offenses specified in paragraphs
27 (a) to (g) of this subsection (1.5); OR

1 (i) ANY LOCAL MUNICIPAL ORDINANCE THAT IS THE EQUIVALENT
2 OF ANY OF THE OFFENSES SPECIFIED IN PARAGRAPHS (a) TO (g) OF THIS
3 SUBSECTION (1.5).

4 (2) (b) (II) The P.O.S.T. board shall promulgate rules ~~and~~
5 ~~regulations~~ deemed necessary by the board concerning the procedures for
6 the reinstatement of SUSPENSIONS AND revocations of certification.

7 **SECTION 3. Act subject to petition - effective date.** This act
8 takes effect at 12:01 a.m. on the day following the expiration of the
9 ninety-day period after final adjournment of the general assembly (August
10 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a
11 referendum petition is filed pursuant to section 1 (3) of article V of the
12 state constitution against this act or an item, section, or part of this act
13 within such period, then the act, item, section, or part will not take effect
14 unless approved by the people at the general election to be held in
15 November 2014 and, in such case, will take effect on the date of the
16 official declaration of the vote thereon by the governor.