

**Second Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 14-0760.01 Michael Dohr x4347

**SENATE BILL 14-123**

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**SENATE SPONSORSHIP**

**Guzman,**

**HOUSE SPONSORSHIP**

**Kagan,**

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**Senate Committees**

Judiciary  
Finance

**House Committees**

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**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.**

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**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.

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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, INCLUDING BUT NOT LIMITED TO EVALUATION

1 OF THE TRAINING PROGRAM AND PROCESSES TO ENSURE SUBSTANTIAL  
2 COMPLIANCE BY LAW ENFORCEMENT AGENCIES AND DEPARTMENTS; AND

3 ==

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

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

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

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

19 **SECTION 2.** In Colorado Revised Statutes, 24-31-305, **amend**  
20 (1.5) (g), (1.5) (h), and (2) (b) (II); and **add** (1.5) (i) as follows:

21 **24-31-305. Certification - issuance - renewal - revocation.**

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

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

26 (h) Any misdemeanor in violation of federal law or the law of any  
27 state that is the equivalent of any of the offenses specified in paragraphs

1 (a) to (g) of this subsection (1.5); OR

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

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

8 **SECTION 3.** In Colorado Revised Statutes, 42-3-304, **amend**  
9 **(24) as follows:**

10 **42-3-304. Registration fees - passenger and passenger-mile**  
11 **taxes - clean screen fund - definitions - repeal.** (24) In addition to any  
12 other fee imposed by this section, at the time of registration, the owner  
13 shall pay a fee of sixty cents ONE DOLLAR on every item of Class A, B, or  
14 C personal property required to be registered pursuant to this article.  
15 Notwithstanding the requirements of section 43-4-203, C.R.S., such fee  
16 shall be transmitted to the state treasurer, who shall credit the same to the  
17 peace officers standards and training board cash fund, created in section  
18 24-31-303 (2) (b), C.R.S.; except that county clerks and recorders shall  
19 be entitled to retain five percent of the fee collected to cover the clerks'  
20 expenses in the collection and remittance of such fee. All of the moneys  
21 in the fund that are collected pursuant to this subsection (24) shall be used  
22 by the peace officers standards and training board for the purposes  
23 specified in section 24-31-310, C.R.S.

24 **SECTION 4.** **Act subject to petition - effective date.** This act  
25 takes effect at 12:01 a.m. on the day following the expiration of the  
26 ninety-day period after final adjournment of the general assembly (August  
27 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the  
2 state constitution against this act or an item, section, or part of this act  
3 within such period, then the act, item, section, or part will not take effect  
4 unless approved by the people at the general election to be held in  
5 November 2014 and, in such case, will take effect on the date of the  
6 official declaration of the vote thereon by the governor.