

**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

SENATE SPONSORSHIP

Guzman,

HOUSE SPONSORSHIP

Kagan,

Senate Committees

Judiciary
Finance
Appropriations

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 **DENYING CERTIFICATION FOR MUNICIPAL VIOLATIONS; AND**
107 **MAKING AN APPROPRIATION.**

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

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.

[http://www.leg.state.co.us/bills/summaries.](http://www.leg.state.co.us/bills/summaries/))

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

1 CERTIFIED PEACE OFFICERS, INCLUDING BUT NOT LIMITED TO EVALUATION
2 OF THE TRAINING PROGRAM AND PROCESSES TO ENSURE SUBSTANTIAL
3 COMPLIANCE BY LAW ENFORCEMENT AGENCIES AND DEPARTMENTS; AND

4 ==

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

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

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

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

20 **SECTION 2.** In Colorado Revised Statutes, 24-31-305, **amend**
21 (1.5) (g), (1.5) (h), and (2) (b) (II); and **add** (1.5) (i) as follows:

22 **24-31-305. Certification - issuance - renewal - revocation.**

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

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

27 (h) Any misdemeanor in violation of federal law or the law of any

1 state that is the equivalent of any of the offenses specified in paragraphs
2 (a) to (g) of this subsection (1.5); OR

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

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

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

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

25 **SECTION 4. Appropriation.** In addition to any other
26 appropriation, there is hereby appropriated, out of any moneys in the
27 P.O.S.T. board cash fund created in section 24-31-303 (2) (b), Colorado

1 Revised Statutes, not otherwise appropriated, to the department of law,
2 for the fiscal year beginning July 1, 2014, the sum of \$1,612,467 and 1.4
3 FTE, or so much thereof as may be necessary, for allocation to peace
4 officer standards and training board support for expanded training
5 activities and associated costs related to the implementation of this act.

6 **SECTION 5. Act subject to petition - effective date.** This act
7 takes effect at 12:01 a.m. on the day following the expiration of the
8 ninety-day period after final adjournment of the general assembly (August
9 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a
10 referendum petition is filed pursuant to section 1 (3) of article V of the
11 state constitution against this act or an item, section, or part of this act
12 within such period, then the act, item, section, or part will not take effect
13 unless approved by the people at the general election to be held in
14 November 2014 and, in such case, will take effect on the date of the
15 official declaration of the vote thereon by the governor.