

80B.13A Revocation or suspension of certification.

1. For purposes of [this section](#):

a. “*Final*” means that all appeals through a grievance procedure available to the officer or civil service have been exhausted.

b. “*Serious misconduct*” means improper or illegal actions taken by a law enforcement officer or reserve peace officer in connection with the officer’s official duties including but not limited to a conviction for a felony, fabrication of evidence, repeated use of excessive force, acceptance of a bribe, or the commission of fraud.

2. The council shall revoke the certification of a law enforcement officer or reserve peace officer upon a finding that the law enforcement officer or reserve peace officer has done any of the following:

a. Pled guilty to or been convicted of a felony.

b. Been discharged for serious misconduct from employment as a law enforcement officer or from appointment as a reserve peace officer, as applicable.

c. Left, voluntarily quit, or been laid off when disciplinary investigation or action was imminent or pending which could have resulted in the law enforcement officer being discharged or the reserve peace officer being removed for serious misconduct, if the council determines that the officer engaged in serious misconduct.

3. The council may revoke or suspend the certification of a law enforcement officer or reserve peace officer due to any of the following:

a. For any other grounds authorized by rules adopted pursuant to [section 80B.11, subsection 1](#), paragraph “h”, or [section 80D.4A](#).

b. When an employing agency recommends to the council that revocation or suspension would be appropriate with regard to a current or former employee. A recommendation by an employing agency must be in writing and set forth the reasons why the action is being recommended, the findings of the employing agency concerning the matter, the action taken by the employing agency, and that the action by the agency is final.

c. When the attorney general recommends to the council that revocation or suspension would be appropriate pursuant to [section 13.12](#).

4. An employing agency shall notify the council within ten days of any termination of employment of a law enforcement officer or appointment as a reserve peace officer. The notification must state whether the law enforcement officer or reserve peace officer was discharged or removed for serious misconduct or whether the officer left, voluntarily quit, or was laid off when disciplinary investigation or action was imminent or pending which could have resulted in the officer being discharged or removed for serious misconduct. Upon request by the council, the employing agency shall provide any additional information or documentation about the officer including confidential records or information under [section 22.7](#) or other applicable law to the council.

5. Any recommendation, notification, or other record or information provided by an employing agency or the attorney general pursuant to [this section](#) shall be confidential except as required by rule or order of the council, an administrative law judge, or a reviewing court. Any employing agency or person who, acting reasonably and in good faith, files a notification or recommendation, releases information, or otherwise cooperates with an investigation under [this section](#) is immune from any liability, civil or criminal, which might otherwise be incurred or imposed for such action.

6. The council shall adopt rules pursuant to [chapter 17A](#) establishing a process to challenge and appeal a revocation or suspension made pursuant to [this section](#).

[2020 Acts, ch 1037, §6](#)

Referred to in [§80B.13](#)