

Judiciary Amend for 5051 and L's Pass 2/6 (p 370)

Reprinted

FILED JAN 9 1990

SENATE FILE 2015
BY GETTINGS, HUTCHINS, and
HULTMAN

Passed Senate, Date 2/20/90 (p. 635) Passed House, Date 3/15/90 (p. 1107)
Vote: Ayes 47 Nays 0 Vote: Ayes 94 Nays 0
Approved March 29, 1990

A BILL FOR

1 An Act relating to training requirements for reserve peace
2 officers and providing for the Act's applicability.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.f. 2015

1 Section 1. Section 80D.1, unnumbered paragraph 1, Code
2 1989, is amended to read as follows:

3 The governing body of a city, county, or the state of Iowa
4 may provide for the establishment of a force of reserve peace
5 officers, and may limit the size of the reserve force. In the
6 case of the state, the department of public safety shall act
7 as the governing body. ~~A-reserve-peace-officer-is-a~~
8 ~~volunteer,-nonregular,-sworn-member-of-a-law-enforcement~~
9 ~~agency-who-serves-with-or-without-compensation,-has-regular~~
10 ~~police-powers-while-functioning-as-an-agency's-representative~~
11 ~~and-participates-on-a-regular-basis-in-the-agency's-activities~~
12 ~~including-those-of-crime-prevention-and-control,-preservation~~
13 ~~of-the-peace-and-enforcement-of-the-law.~~

14 Sec. 2. NEW SECTION. 80D.1A DEFINITIONS.

15 As used in this chapter, unless the context otherwise
16 requires:

17 1. "Minimum training course" means a curriculum of one
18 hundred fifty hours of training and instruction required for
19 certification as a reserve peace officer, excluding weapons
20 training.

21 2. "Reserve force" means an organization of reserve peace
22 officers established as provided in this chapter.

23 3. "Reserve peace officer" means a volunteer, nonregular,
24 sworn member of a law enforcement agency who serves with or
25 without compensation, has regular police powers while func-
26 tioning as a law enforcement agency's representative, and
27 participates on a regular basis in the law enforcement
28 agency's activities including crime prevention and control,
29 preservation of the peace, and enforcement of law.

30 Sec. 3. Section 80D.3, Code 1989, is amended by striking
31 the section and inserting in lieu thereof the following:

32 80D.3 TRAINING STANDARDS.

33 1. Each person appointed to serve as a reserve peace
34 officer shall satisfactorily complete a minimum training
35 course as provided in this section. In addition, if a reserve

1 peace officer is authorized to carry weapons, the officer
2 shall satisfactorily complete the same training course in the
3 use of weapons as is required for basic training of regular
4 peace officers by the Iowa law enforcement academy. The
5 minimum training course for reserve peace officers must be
6 satisfactorily completed within four years from the date of
7 appointment. If reserve officer training received before the
8 effective date of this Act meets the requirements of this
9 section, the training may be applied to meet the minimum
10 training course requirements of this section.

11 2. A reserve peace officer who does not carry a weapon
12 shall not be required to complete a weapons training course,
13 but the officer shall comply with all other training require-
14 ments.

15 3. A person appointed to serve as a reserve peace officer,
16 who has received basic training as a peace officer and has
17 been certified by the Iowa law enforcement academy pursuant to
18 chapter 80B and rules adopted pursuant to chapter 80B, may be
19 exempted from completing the minimum training course at the
20 discretion of the appointing authority if the officer meets
21 one of the following qualifications:

22 a. The appointee is serving as a regular peace officer
23 with a bona fide law enforcement agency when the application
24 for a reserve peace officer appointment is made.

25 b. The appointee has served as a regular peace officer
26 with a bona fide law enforcement agency within three years of
27 the date of application for appointment as a reserve peace
28 officer.

513629 4. The minimum training course required for a reserve
30 peace officer shall be conducted pursuant to sections 80D.4
31 and 80D.7, and the following training schedule:

32 a. During the first year, thirty hours of general law
33 enforcement training is required as provided in section 80D.4
34 and as prescribed by the Iowa law enforcement academy council.
35 If weapons are to be carried, a reserve peace officer shall

1 complete a weapons training course having the same number of
2 hours of training as is required of regular peace officers in
3 basic training pursuant to section 80D.7.

4 b. During the second through the fourth year, forty hours
5 of training shall be provided each year. Ten hours annually
6 shall be obtained by each reserve peace officer working with a
7 regular peace officer. The remaining thirty hours annually
8 shall be selected by the appointing authority from the
9 approved basic training curriculum established by the Iowa law
10 enforcement academy for use in training regular peace
11 officers.

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12 Sec. 4. Section 80D.4, Code 1989, is amended to read as
13 follows:

14 80D.4 TRAINING.

15 Training for individuals appointed as reserve peace
16 officers shall be provided by that law enforcement agency, but
17 may be obtained in a merged area school or other facility
18 selected by the individual and approved by the law enforcement
19 agency. Upon satisfactory completion of training, the chief
20 of police, sheriff or commissioner of public safety shall
21 certify the individual as a reserve peace officer. Initial
22 ~~training shall be completed within one year from the date of~~
23 ~~appointment.~~

24 Sec. 5. Section 80D.7, Code 1989, is amended to read as
25 follows:

26 80D.7 CARRYING WEAPONS.

27 A member of a reserve force shall not carry a weapon in the
28 line of duty until the member has been approved by the
29 governing body and certified by the Iowa law enforcement
30 academy council to carry weapons. ~~Individuals serving as~~
31 ~~reserve peace officers as of July 1, 1980 are exempt from the~~
32 ~~certification requirements of this section pending completion~~
33 ~~of approved training or until one year from the effective date~~
34 ~~of this chapter, whichever comes first.~~ After approval and
35 certification, a reserve peace officer may carry a weapon in

1 the line of duty only when authorized by the chief of police,
2 sheriff, or commissioner of public safety or the
3 commissioner's designee, as the case may be.

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4 Sec. 6. APPLICABILITY.

5 A reserve peace officer who has been certified pursuant to
6 section 80D.4 before the effective date of this Act must com-
7 plete the minimum training course required pursuant to section
8 3 of this Act within four years of the effective date of this
9 Act to remain certified. Training completed before the
10 effective date of this Act may be used to fulfill the require-
11 ments of the minimum training course if the training received
12 meets the requirements specified in section 3 of this Act.

13 EXPLANATION

14 This bill increases the amount of training that reserve
15 peace officers are required to have from thirty hours within
16 one year of their appointment to one hundred fifty hours
17 within four years of their appointment. In addition to the
18 one hundred fifty hours of training, the same number of hours
19 in weapons training as is required of regular peace officers
20 in basic training will be required of reserve peace officers
21 who will carry weapons. Thirty hours will be spent in general
22 law enforcement training as prescribed by the Iowa law
23 enforcement academy council, and thirty hours in field
24 training. The remaining ninety hours of training will be
25 selected by the appointing authority from the approved basic
26 training curriculum established by the Iowa law enforcement
27 academy for use in training regular law enforcement officers.
28 Incumbent reserve peace officers will have four years to
29 satisfy the training requirements of this Act.

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SENATE FILE 2015

S-5051

1 Amend Senate File 2015 as follows:
2 1. Page 3, by inserting after line 11 the
3 following:
4 "c. Notwithstanding the time schedule provided in
5 this subsection, a person is eligible for
6 certification as a reserve peace officer upon
7 satisfactory completion of the one hundred fifty hours
8 of training required for certification."

By COMMITTEE ON JUDICIARY
RICHARD VARN, Chairperson

S-5051 FILED FEBRUARY 6, 1990

Adopted 2/20 (g. 634)

SENATE FILE 2015

S-5073

1 Amend Senate File 2015 as follows:
2 1. Page 4, by inserting after line 3 the
3 following:
4 "Sec. ____ . Section 384.15, subsection 7, un-
5 numbered paragraph 1, Code 1989, is amended to read as
6 follows:
7 Adopt rules for the administration of a law
8 enforcement officer training reimbursement program by
9 the director of the department of management. A
10 decision of the director may be appealed by a city or
11 county to the committee. The program shall provide
12 reimbursement to a city or county for necessary and
13 actual expenses incurred in training a law enforcement
14 officer who resigns from law enforcement service with
15 the city or county within four years after completion
16 of the law enforcement training. The reimbursable
17 training expenses include mileage, food, lodging,
18 tuition, replacement of an officer while the officer
19 is in training if the replacement officer is a
20 temporary employee hired for that purpose only or is
21 on overtime status, and salary costs of the officer
22 while in training. The law enforcement training
23 eligible for reimbursement is the minimum law
24 enforcement officer training required under chapter
25 80B and, if funding is available, approved advanced
26 law enforcement training and reserve officer training
27 required under chapter 80D. The committee shall adopt
28 rules prescribing application forms, expense
29 documentation, and procedures necessary to administer
30 the reimbursement program."
31 2. By numbering sections as necessary.

By DON E. GETTINGS
LINN FUHRMAN
RAY TAYLOR

S-5073 FILED FEBRUARY 8, 1990.

Adopted 2/20 (g. 634)

SENATE FILE 2015

S-5136

1 Amend Senate File 2015 as follows:

2 1. Page 2, by striking line 31 through page 3,
3 line 11 and inserting the following: "and 80D.7
4 according to a schedule prescribed by the Iowa law
5 enforcement academy council. If weapons are to be
6 carried, a reserve peace officer shall complete a
7 weapons training course having the same number of
8 hours of training as is required of regular peace
9 officers in basic training pursuant to section 80D.7."

By MARK R. HAGERLA

S-5136 FILED FEBRUARY 20, 1990
RULED OUT OF ORDER (p 634)

**SENATE FILE 2015
FISCAL NOTE**

A fiscal note for Senate File 2015 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 2015 increases the amount of training that reserve peace officers are required to have from thirty hours within one year of their appointment to one hundred fifty hours within four years of their appointment. In addition to the one hundred and fifty hours of training, the same number of hours in weapons training as is required of regular peace officers in basic training will be required of reserve peace officers who carry weapons. Thirty hours will be spent in general law enforcement training as prescribed by the Iowa Law Enforcement Training Academy Council, and thirty hours in field training. The remaining ninety hours of training will be selected by the appointing authority from the approved basic training curriculum established by the Academy for use in training regular law enforcement officers. Incumbent reserve peace officers will have four years to satisfy the training requirements.

Assumptions

- A. There are approximately 1650 reserve officers working for 196 departments.
- B. There will be 100 additional or replacement officers, annually.
- C. Community Colleges will provide training for 20% of the departments.
- D. The remaining 80% of the departments will provide the training directly.
- E. Currently, 50% of the reserve officers have received training equal to or exceeding the proposed requirements.

Fiscal Effect

The average Department increased cost under the proposed law will be \$88.00 in FY 1991 and \$100 for FY 1992, for a net increase in costs to local governments of \$17,250 in FY 1991 and \$19,550 in FY 1992.

(Source: Iowa Law Enforcement Academy)

(LSB 7280xs, DPW)

FILED FEBRUARY 6, 1990

BY DENNIS PROUTY, FISCAL DIRECTOR

1 Section 1. Section 80D.1, unnumbered paragraph 1, Code
2 1989, is amended to read as follows:

3 The governing body of a city, county, or the state of Iowa
4 may provide for the establishment of a force of reserve peace
5 officers, and may limit the size of the reserve force. In the
6 case of the state, the department of public safety shall act
7 as the governing body. ~~A-reserve-peace-officer-is-a~~
8 ~~volunteer, nonregular, sworn member of a law enforcement~~
9 ~~agency who serves with or without compensation, has regular~~
10 ~~police powers while functioning as an agency's representative~~
11 ~~and participates on a regular basis in the agency's activities~~
12 ~~including those of crime prevention and control, preservation~~
13 ~~of the peace and enforcement of the law.~~

14 Sec. 2. NEW SECTION. 80D.1A DEFINITIONS.

15 As used in this chapter, unless the context otherwise
16 requires:

17 1. "Minimum training course" means a curriculum of one
18 hundred fifty hours of training and instruction required for
19 certification as a reserve peace officer, excluding weapons
20 training.

21 2. "Reserve force" means an organization of reserve peace
22 officers established as provided in this chapter.

23 3. "Reserve peace officer" means a volunteer, nonregular,
24 sworn member of a law enforcement agency who serves with or
25 without compensation, has regular police powers while func-
26 tioning as a law enforcement agency's representative, and
27 participates on a regular basis in the law enforcement
28 agency's activities including crime prevention and control,
29 preservation of the peace, and enforcement of law.

30 Sec. 3. Section 80D.3, Code 1989, is amended by striking
31 the section and inserting in lieu thereof the following:

32 80D.3 TRAINING STANDARDS.

33 1. Each person appointed to serve as a reserve peace
34 officer shall satisfactorily complete a minimum training
35 course as provided in this section. In addition, if a reserve

1 peace officer is authorized to carry weapons, the officer
2 shall satisfactorily complete the same training course in the
3 use of weapons as is required for basic training of regular
4 peace officers by the Iowa law enforcement academy. The
5 minimum training course for reserve peace officers must be
6 satisfactorily completed within four years from the date of
7 appointment. If reserve officer training received before the
8 effective date of this Act meets the requirements of this
9 section, the training may be applied to meet the minimum
10 training course requirements of this section.

11 2. A reserve peace officer who does not carry a weapon
12 shall not be required to complete a weapons training course,
13 but the officer shall comply with all other training require-
14 ments.

15 3. A person appointed to serve as a reserve peace officer,
16 who has received basic training as a peace officer and has
17 been certified by the Iowa law enforcement academy pursuant to
18 chapter 80B and rules adopted pursuant to chapter 80B, may be
19 exempted from completing the minimum training course at the
20 discretion of the appointing authority if the officer meets
21 one of the following qualifications:

22 a. The appointee is serving as a regular peace officer
23 with a bona fide law enforcement agency when the application
24 for a reserve peace officer appointment is made.

25 b. The appointee has served as a regular peace officer
26 with a bona fide law enforcement agency within three years of
27 the date of application for appointment as a reserve peace
28 officer.

29 4. The minimum training course required for a reserve
30 peace officer shall be conducted pursuant to sections 80D.4
31 and 80D.7, and the following training schedule:

32 a. During the first year, thirty hours of general law
33 enforcement training is required as provided in section 80D.4
34 and as prescribed by the Iowa law enforcement academy council.
35 If weapons are to be carried, a reserve peace officer shall

1 complete a weapons training course having the same number of
2 hours of training as is required of regular peace officers in
3 basic training pursuant to section 80D.7.

4 b. During the second through the fourth year, forty hours
5 of training shall be provided each year. Ten hours annually
6 shall be obtained by each reserve peace officer working with a
7 regular peace officer. The remaining thirty hours annually
8 shall be selected by the appointing authority from the
9 approved basic training curriculum established by the Iowa law
10 enforcement academy for use in training regular peace
11 officers.

12 c. Notwithstanding the time schedule provided in this
13 subsection, a person is eligible for certification as a
14 reserve peace officer upon satisfactory completion of the one
15 hundred fifty hours of training required for certification.

16 Sec. 4. Section 80D.4, Code 1989, is amended to read as
17 follows:

18 80D.4 TRAINING.

19 Training for individuals appointed as reserve peace
20 officers shall be provided by that law enforcement agency, but
21 may be obtained in a merged area school or other facility
22 selected by the individual and approved by the law enforcement
23 agency. Upon satisfactory completion of training, the chief
24 of police, sheriff or commissioner of public safety shall
25 certify the individual as a reserve peace officer. ~~Initial~~
26 ~~training shall be completed within one year from the date of~~
27 ~~appointment.~~

28 Sec. 5. Section 80D.7, Code 1989, is amended to read as
29 follows:

30 80D.7 CARRYING WEAPONS.

31 A member of a reserve force shall not carry a weapon in the
32 line of duty until the member has been approved by the
33 governing body and certified by the Iowa law enforcement
34 academy council to carry weapons. ~~Individuals serving as~~
35 ~~reserve peace officers as of July 1, 1980 are exempt from the~~

1 certification-requirements-of-this-section-pending-completion
2 of-approved-training-or-until-one-year-from-the-effective-date
3 of-this-chapter,whichever-comes-first. After approval and
4 certification, a reserve peace officer may carry a weapon in
5 the line of duty only when authorized by the chief of police,
6 sheriff, or commissioner of public safety or the
7 commissioner's designee, as the case may be.

8 Sec. 6. Section 384.15, subsection 7, unnumbered paragraph
9 1, Code 1989, is amended to read as follows:

10 Adopt rules for the administration of a law enforcement
11 officer training reimbursement program by the director of the
12 department of management. A decision of the director may be
13 appealed by a city or county to the committee. The program
14 shall provide reimbursement to a city or county for necessary
15 and actual expenses incurred in training a law enforcement
16 officer who resigns from law enforcement service with the city
17 or county within four years after completion of the law
18 enforcement training. The reimbursable training expenses
19 include mileage, food, lodging, tuition, replacement of an
20 officer while the officer is in training if the replacement
21 officer is a temporary employee hired for that purpose only or
22 is on overtime status, and salary costs of the officer while
23 in training. The law enforcement training eligible for
24 reimbursement is the minimum law enforcement officer training
25 required under chapter 80B and, if funding is available,
26 approved advanced law enforcement training and reserve officer
27 training required under chapter 80D. The committee shall
28 adopt rules prescribing application forms, expense
29 documentation, and procedures necessary to administer the
30 reimbursement program.

31 Sec. 7. APPLICABILITY.

32 A reserve peace officer who has been certified pursuant to
33 section 80D.4 before the effective date of this Act must com-
34 plete the minimum training course required pursuant to section
35 3 of this Act within four years of the effective date of this

1 Act to remain certified. Training completed before the
2 effective date of this Act may be used to fulfill the require-
3 ments of the minimum training course if the training received
4 meets the requirements specified in section 3 of this Act.

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SENATE FILE 2015

AN ACT

RELATING TO TRAINING REQUIREMENTS FOR RESERVE PEACE OFFICERS
AND PROVIDING FOR THE ACT'S APPLICABILITY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 80D.1, unnumbered paragraph 1, Code 1989, is amended to read as follows:

The governing body of a city, county, or the state of Iowa may provide for the establishment of a force of reserve peace officers, and may limit the size of the reserve force. In the case of the state, the department of public safety shall act as the governing body. ~~A reserve peace officer is a volunteer, nonregular, sworn member of a law enforcement agency who serves with or without compensation, has regular police powers while functioning as an agency's representative and participates on a regular basis in the agency's activities including those of crime prevention and control, preservation of the peace and enforcement of the law.~~

Sec. 2. NEW SECTION. 80D.1A DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

1. "Minimum training course" means a curriculum of one hundred fifty hours of training and instruction required for certification as a reserve peace officer, excluding weapons training.
2. "Reserve force" means an organization of reserve peace officers established as provided in this chapter.
3. "Reserve peace officer" means a volunteer, nonregular, sworn member of a law enforcement agency who serves with or without compensation, has regular police powers while functioning as a law enforcement agency's representative, and participates on a regular basis in the law enforcement

agency's activities including crime prevention and control, preservation of the peace, and enforcement of law.

Sec. 3. Section 80D.3, Code 1989, is amended by striking the section and inserting in lieu thereof the following:

80D.3 TRAINING STANDARDS.

1. Each person appointed to serve as a reserve peace officer shall satisfactorily complete a minimum training course as provided in this section. In addition, if a reserve peace officer is authorized to carry weapons, the officer shall satisfactorily complete the same training course in the use of weapons as is required for basic training of regular peace officers by the Iowa law enforcement academy. The minimum training course for reserve peace officers must be satisfactorily completed within four years from the date of appointment. If reserve officer training received before the effective date of this Act meets the requirements of this section, the training may be applied to meet the minimum training course requirements of this section.

2. A reserve peace officer who does not carry a weapon shall not be required to complete a weapons training course, but the officer shall comply with all other training requirements.

3. A person appointed to serve as a reserve peace officer, who has received basic training as a peace officer and has been certified by the Iowa law enforcement academy pursuant to chapter 80B and rules adopted pursuant to chapter 80B, may be exempted from completing the minimum training course at the discretion of the appointing authority if the officer meets one of the following qualifications:

- a. The appointee is serving as a regular peace officer with a bona fide law enforcement agency when the application for a reserve peace officer appointment is made.
- b. The appointee has served as a regular peace officer with a bona fide law enforcement agency within three years of the date of application for appointment as a reserve peace officer.

4. The minimum training course required for a reserve peace officer shall be conducted pursuant to sections 80D.4 and 80D.7, and the following training schedule:

a. During the first year, thirty hours of general law enforcement training is required as provided in section 80D.4 and as prescribed by the Iowa law enforcement academy council. If weapons are to be carried, a reserve peace officer shall complete a weapons training course having the same number of hours of training as is required of regular peace officers in basic training pursuant to section 80D.7.

b. During the second through the fourth year, forty hours of training shall be provided each year. Ten hours annually shall be obtained by each reserve peace officer working with a regular peace officer. The remaining thirty hours annually shall be selected by the appointing authority from the approved basic training curriculum established by the Iowa law enforcement academy for use in training regular peace officers.

c. Notwithstanding the time schedule provided in this subsection, a person is eligible for certification as a reserve peace officer upon satisfactory completion of the one hundred fifty hours of training required for certification.

Sec. 4. Section 80D.4, Code 1989, is amended to read as follows:

80D.4 TRAINING.

Training for individuals appointed as reserve peace officers shall be provided by that law enforcement agency, but may be obtained in a merged area school or other facility selected by the individual and approved by the law enforcement agency. Upon satisfactory completion of training, the chief of police, sheriff or commissioner of public safety shall certify the individual as a reserve peace officer. ~~Initial training shall be completed within one year from the date of appointment.~~

Sec. 5. Section 80D.7, Code 1989, is amended to read as follows:

80D.7 CARRYING WEAPONS.

A member of a reserve force shall not carry a weapon in the line of duty until the member has been approved by the governing body and certified by the Iowa law enforcement academy council to carry weapons. ~~Individuals serving as reserve peace officers as of July 17, 1988 are exempt from the certification requirements of this section pending completion of approved training or until one year from the effective date of this chapter, whichever comes first.~~ After approval and certification, a reserve peace officer may carry a weapon in the line of duty only when authorized by the chief of police, sheriff, or commissioner of public safety or the commissioner's designee, as the case may be.

Sec. 6. Section 384.15, subsection 7, unnumbered paragraph 1, Code 1989, is amended to read as follows:

Adopt rules for the administration of a law enforcement officer training reimbursement program by the director of the department of management. A decision of the director may be appealed by a city or county to the committee. The program shall provide reimbursement to a city or county for necessary and actual expenses incurred in training a law enforcement officer who resigns from law enforcement service with the city or county within four years after completion of the law enforcement training. The reimbursable training expenses include mileage, food, lodging, tuition, replacement of an officer while the officer is in training if the replacement officer is a temporary employee hired for that purpose only or is on overtime status, and salary costs of the officer while in training. The law enforcement training eligible for reimbursement is the minimum law enforcement officer training required under chapter 80B and, if funding is available, approved advanced law enforcement training and reserve officer training required under chapter 80D. The committee shall adopt rules prescribing application forms, expense documentation, and procedures necessary to administer the reimbursement program.

Sec. 7. APPLICABILITY.

A reserve peace officer who has been certified pursuant to section 80D.4 before the effective date of this Act must complete the minimum training course required pursuant to section 3 of this Act within four years of the effective date of this Act to remain certified. Training completed before the effective date of this Act may be used to fulfill the requirements of the minimum training course if the training received meets the requirements specified in section 3 of this Act.

JO ANN ZIMMERMAN
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2015, Seventy-third General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved March 29, 1990

TERRY E. BRANSTAD
Governor