

2/10/99 Do Pass

JAN 19 1999

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STATE GOVERNMENT

HOUSE FILE

100

BY BRAUNS, WEIDMAN, BAUDLER,
and DAVIS

Passed House, ^(P. 423) Date 2/24/99 Passed Senate, Date 4/13/99 ^(P. 1095)
 Vote: Ayes 97 Nays 0 Vote: Ayes 49 Nays 0
 Approved April 27, 1999

A BILL FOR

1 An Act relating to the revocation or suspension of a law
 2 enforcement officer's certification.
 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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H/F 100

1 Section 1. Section 80B.11, subsection 7, Code 1999, is
2 amended to read as follows:

3 7. Grounds for revocation or suspension of a law
4 enforcement officer's certification.

5 Sec. 2. Section 80B.13, subsection 8, unnumbered paragraph
6 1, Code 1999, is amended to read as follows:

7 Revoke a law enforcement officer's certification for the
8 conviction of a felony or revoke or suspend a law enforcement
9 officer's certification for a violation of rules adopted
10 pursuant to section 80B.11, subsection 7. In addition the
11 council may consider revocation or suspension proceedings when
12 an employing agency recommends to the council that revocation
13 or suspension would be appropriate with regard to a current or
14 former employee.

15 Sec. 3. Section 80B.13, subsection 8, unnumbered paragraph
16 3, Code 1999, is amended to read as follows:

17 The council shall establish a process for the protest and
18 appeal of a revocation or suspension made pursuant to this
19 subsection.

20 Sec. 4. Section 80B.13, subsection 9, Code 1999, is
21 amended to read as follows:

22 9. In accordance with chapter 17A, conduct investigations,
23 hold hearings, appoint hearing examiners, administer oaths and
24 issue subpoenas enforceable in district court on matters
25 relating to the revocation or suspension of a law enforcement
26 officer's certification.

27 EXPLANATION

28 This bill authorizes the Iowa law enforcement academy
29 council to revoke or suspend an officer's certification for
30 violation of the grounds for revocation or suspension
31 established by rule by the director of the Iowa law
32 enforcement academy and approved by the Iowa law enforcement
33 academy council. The bill also authorizes the council to
34 suspend an officer's license upon the recommendation of the
35 officer's employer.

1 Current law authorizes revocation of a law enforcement
2 officer's certification upon the officer's conviction of a
3 felony or upon the recommendation of the officer's employer.
4 Existing law does not authorize the suspension of an officer's
5 certification.

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HOUSE FILE 100

H-1028

- 1 Amend House File 100 as follows:
- 2 1. Page 1, line 14, by inserting after the word
- 3 "employee." the following: "If a law enforcement
- 4 officer resigns, the employing agency shall notify the
- 5 council that an officer has resigned and state the
- 6 reasons for the resignation."

By DAVIS of Wapello
TAYLOR of Linn

H-1028 FILED FEBRUARY 23, 1999

Adopted 2/24/99

(p. 423)

HOUSE FILE 100

H-1015

- 1 Amend House File 100 as follows:
- 2 1. Page 1, line 14, by inserting after the word
- 3 "employee." the following: "If an employing agency
- 4 terminates the employment of a law enforcement officer
- 5 for violation of rules adopted pursuant to section
- 6 80B.11, subsection 7, the employing agency must
- 7 recommend to the council that revocation or suspension
- 8 would be appropriate."

By TAYLOR of Linn
LARKIN of Lee
CONNORS of Polk

H-1015 FILED FEBRUARY 18, 1999

Withdrawn 2/24/99
(p. 421)

S-2/24/99 State Board
S-4/1/99 Do Pass

HOUSE FILE 100
BY BRAUNS, WEIDMAN, BAUDLER,
and DAVIS

(As Amended and Passed by the House, February 24, 1999)

Passed House, ^(P.1388) Date 4/19/99 Passed Senate, Date 4/13/99 ^(P.1095)
Vote: Ayes 97 Nays 0 Vote: Ayes 49 Nays 0
Approved April 27, 1999

A BILL FOR

1 An Act relating to the revocation or suspension of a law
2 enforcement officer's certification.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 80B.11, subsection 7, Code 1999, is
2 amended to read as follows:

3 7. Grounds for revocation or suspension of a law
4 enforcement officer's certification.

5 Sec. 2. Section 80B.13, subsection 8, unnumbered paragraph
6 1, Code 1999, is amended to read as follows:

7 Revoke a law enforcement officer's certification for the
8 conviction of a felony or revoke or suspend a law enforcement
9 officer's certification for a violation of rules adopted
10 pursuant to section 80B.11, subsection 7. In addition the
11 council may consider revocation or suspension proceedings when
12 an employing agency recommends to the council that revocation
13 or suspension would be appropriate with regard to a current or
14 former employee. If a law enforcement officer resigns, the
15 employing agency shall notify the council that an officer has
16 resigned and state the reasons for the resignation.

17 Sec. 3. Section 80B.13, subsection 8, unnumbered paragraph
18 3, Code 1999, is amended to read as follows:

19 The council shall establish a process for the protest and
20 appeal of a revocation or suspension made pursuant to this
21 subsection.

22 Sec. 4. Section 80B.13, subsection 9, Code 1999, is
23 amended to read as follows:

24 9. In accordance with chapter 17A, conduct investigations,
25 hold hearings, appoint hearing examiners, administer oaths and
26 issue subpoenas enforceable in district court on matters
27 relating to the revocation or suspension of a law enforcement
28 officer's certification.

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HOUSE FILE 100

S-3356

1 Amend House File 100, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, line 16, by striking the words
4 "reasons for the resignation" and inserting the
5 following: "reason for the resignation if a
6 substantial likelihood exists that the reason would
7 result in the revocation or suspension of an officer's
8 certification for a violation of the rules."

By JEFF LAMBERTI

S-3356 FILED APRIL 13, 1999
ADOPTED

(P.1095)

SENATE AMENDMENT TO HOUSE FILE 100

H-1591

1 Amend House File 100, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, line 16, by striking the words
4 "reasons for the resignation" and inserting the
5 following: "reason for the resignation if a
6 substantial likelihood exists that the reason would
7 result in the revocation or suspension of an officer's
8 certification for a violation of the rules".

H-1591 FILED APRIL 13, 1999

RECEIVED FROM THE SENATE

House Concurred 4/19/99 (P.1387)

AN ACT

RELATING TO THE REVOCATION OR SUSPENSION OF A LAW ENFORCEMENT
OFFICER'S CERTIFICATION.

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

Section 1. Section 80B.11, subsection 7, Code 1999, is amended to read as follows:

7. Grounds for revocation or suspension of a law enforcement officer's certification.

Sec. 2. Section 80B.13, subsection 8, unnumbered paragraph 1, Code 1999, is amended to read as follows:

Revoke a law enforcement officer's certification for the conviction of a felony or revoke or suspend a law enforcement officer's certification for a violation of rules adopted pursuant to section 80B.11, subsection 7. In addition the council may consider revocation or suspension proceedings when an employing agency recommends to the council that revocation or suspension would be appropriate with regard to a current or former employee. If a law enforcement officer resigns, the employing agency shall notify the council that an officer has resigned and state the reason for the resignation if a substantial likelihood exists that the reason would result in the revocation or suspension of an officer's certification for a violation of the rules.

Sec. 3. Section 80B.13, subsection 8, unnumbered paragraph 3, Code 1999, is amended to read as follows:

The council shall establish a process for the protest and appeal of a revocation or suspension made pursuant to this subsection.

Sec. 4. Section 80B.13, subsection 9, Code 1999, is amended to read as follows:

9. In accordance with chapter 17A, conduct investigations, hold hearings, appoint hearing examiners, administer oaths and issue subpoenas enforceable in district court on matters relating to the revocation or suspension of a law enforcement officer's certification.

RON J. CORBETT
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 100, Seventy-eighth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved *April 27*, 1999

THOMAS J. VILSACK
Governor