

Senate Study Bill 3104

SENATE/HOUSE FILE _____
BY (PROPOSED LAW ENFORCEMENT
ACADEMY BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the standardized training and state
2 certification of reserve peace officers.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5343DP 81
5 rh/gg/14

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1 1 Section 1. Section 80D.1A, Code 2005, is amended to read
1 2 as follows:
1 3 80D.1A DEFINITIONS.
1 4 As used in this chapter, unless the context otherwise
1 5 requires:
1 6 1. "Academy" means the Iowa law enforcement academy.
1 7 2. "Council" means the Iowa law enforcement academy
1 8 council.
1 9 ~~3. "Minimum training course" means a curriculum of one~~
~~1 10 hundred fifty hours of training and instruction required for~~
~~1 11 certification as a reserve peace officer, excluding weapons~~
~~1 12 training basic training requirements developed by the academy~~
~~1 13 pursuant to the academy's rulemaking authority that a reserve~~
~~1 14 peace officer must complete within a prescribed time period to~~
~~1 15 become state certified as a reserve peace officer. The~~
~~1 16 minimum training course does not include required weapons~~
~~1 17 training.~~
1 18 2. 4. "Reserve force" means an organization of reserve
1 19 peace officers established as provided in this chapter.
1 20 3. 5. "Reserve peace officer" means a volunteer,
1 21 nonregular, sworn member of a law enforcement agency who
1 22 serves with or without compensation, has regular police powers
1 23 while functioning as a law enforcement agency's
1 24 representative, and participates on a regular basis in the law
1 25 enforcement agency's activities including crime prevention and
1 26 control, preservation of the peace, and enforcement of law.
1 27 Sec. 2. Section 80D.3, Code 2005, is amended to read as
1 28 follows:
1 29 80D.3 TRAINING STANDARDS.
1 30 1. Each person appointed to serve as a reserve peace
1 31 officer shall satisfactorily complete a minimum training
1 32 course as ~~provided in this section established by academy~~
~~1 33 rules. In addition, if a reserve peace officer is authorized~~
~~1 34 to carry weapons, the officer shall satisfactorily complete~~
~~1 35 the same training course in the use of weapons as is required~~
~~2 1 for basic training of regular peace officers by the Iowa law~~
~~2 2 enforcement academy. The minimum training course for reserve~~
~~2 3 peace officers must shall be satisfactorily completed within~~
~~2 4 four years from the date of appointment the time period~~
~~2 5 prescribed by academy rules. If reserve Academy-approved~~
~~2 6 reserve peace officer training received before July 1, 1990,~~
~~2 7 meets the requirements of this section, the training 2006, may~~
~~2 8 be applied to meet the minimum training course requirements of~~
~~2 9 this section established by academy rules.~~
2 10 2. A reserve peace officer who does not carry a weapon
2 11 shall not be required to complete a weapons training course,
2 12 but the officer shall comply with all other training
2 13 requirements.
2 14 3. A person appointed to serve as a reserve peace officer,
2 15 who has received basic training as a peace officer and has
2 16 been certified by the Iowa law enforcement academy pursuant to
2 17 chapter 80B and rules adopted pursuant to chapter 80B, may be

2 18 exempted from completing the minimum training course at the
2 19 discretion of the appointing authority. ~~if the officer meets~~
2 20 ~~one of the following qualifications:~~
2 21 a. ~~The appointee is serving as a regular peace officer~~
2 22 ~~with a bona fide law enforcement agency when the application~~
2 23 ~~for a reserve peace officer appointment is made.~~
2 24 b. ~~The appointee has served as a regular peace officer~~
2 25 ~~with a bona fide law enforcement agency within three years of~~
2 26 ~~the date of application for appointment as a reserve peace~~
2 27 ~~officer. However, such a person appointed to serve as a~~
2 28 ~~reserve peace officer shall meet mandatory in-service training~~
2 29 ~~requirements established by academy rules if the person has~~
2 30 ~~not served as an active peace officer within one hundred~~
2 31 ~~eighty days of appointment as a reserve peace officer.~~
2 32 4. ~~The minimum training course required for a reserve~~
2 33 ~~peace officer shall be conducted pursuant to sections 80D.4~~
2 34 ~~and 80D.7, and the following training schedule:~~
2 35 a. ~~During the first year, thirty hours of general law~~
3 1 ~~enforcement training is required as provided in section 80D.4~~
3 2 ~~and as prescribed by the Iowa law enforcement academy council.~~
3 3 ~~If weapons are to be carried, a reserve peace officer shall~~
3 4 ~~complete a weapons training course having the same number of~~
3 5 ~~hours of training as is required of regular peace officers in~~
3 6 ~~basic training pursuant to section 80D.7.~~
3 7 b. ~~During the second through the fourth year, forty hours~~
3 8 ~~of training shall be provided each year. Ten hours annually~~
3 9 ~~shall be obtained by each reserve peace officer working with a~~
3 10 ~~regular peace officer. The remaining thirty hours annually~~
3 11 ~~shall be selected by the appointing authority from the~~
3 12 ~~approved basic training curriculum established by the Iowa law~~
3 13 ~~enforcement academy for use in training regular peace~~
3 14 ~~officers.~~
3 15 c. ~~Notwithstanding the time schedule provided in this~~
3 16 ~~subsection, a A person is eligible for state certification as~~
3 17 ~~a reserve peace officer upon satisfactory completion of the~~
3 18 ~~one hundred fifty hours of training required for certification~~
3 19 ~~and testing requirements specified by academy rules. A~~
3 20 ~~reserve peace officer enrolled in an academy=approved minimum~~
3 21 ~~course of training prior to July 1, 2006, shall obtain state~~
3 22 ~~certification by July 1, 2009.~~

3 23 Sec. 3. Section 80D.4, Code 2005, is amended to read as
3 24 follows:
3 25 80D.4 TRAINING.
3 26 Training for individuals appointed as reserve peace
3 27 officers shall be provided by ~~that law enforcement agency, but~~
3 28 ~~may be obtained academy=certified instructors in a community~~
3 29 ~~college or other facility, including a law enforcement agency,~~
3 30 ~~selected by the individual and approved by the law enforcement~~
3 31 ~~agency and the academy. Upon satisfactory completion of~~
3 32 ~~training required by the Iowa law enforcement academy, the~~
3 33 ~~chief of police, sheriff, commissioner of public safety, or~~
3 34 ~~director of the judicial district department of correctional~~
3 35 ~~services academy shall certify the individual as a reserve~~
4 1 ~~peace officer.~~

4 2 Sec. 4. NEW SECTION. 80D.4A TRAINING AND CERTIFICATION
4 3 REQUIREMENTS.
4 4 The director of the academy, subject to the approval of the
4 5 council, shall promulgate rules in accordance with the
4 6 provisions of this chapter and chapter 17A, giving due
4 7 consideration to varying factors and special requirements of
4 8 law enforcement agencies relative to the standardized training
4 9 and state certification of reserve peace officers.

4 10 EXPLANATION
4 11 This bill relates to standardized training and
4 12 certification standards for reserve peace officers in Iowa.
4 13 The bill provides that a standardized training and state
4 14 certification for reserve peace officers shall be established
4 15 by the Iowa law enforcement academy pursuant to the academy's
4 16 rulemaking authority. The bill provides that the director of
4 17 the academy, subject to the approval of the council, shall
4 18 promulgate such rules, giving due consideration to varying
4 19 factors and special requirements of law enforcement agencies
4 20 relative to the standardized training and state certification
4 21 of reserve peace officers. Current law allows a law
4 22 enforcement agency to which a reserve peace officer has been
4 23 appointed to provide reserve peace officer training, and
4 24 provides that a person may be certified as a reserve peace
4 25 officer by the academy, chief of police, sheriff, commissioner
4 26 of public safety, or director of the judicial district
4 27 department of correctional services.
4 28 The bill further specifies that academy=approved reserve

4 29 officer training received prior to July 1, 2006, may be
4 30 applied to meet the minimum training requirements established
4 31 by academy rules and that a peace officer is eligible for
4 32 state certification as a reserve peace officer upon
4 33 satisfactory completion of the requirements specified by
4 34 academy rules. A reserve peace officer appointed after July
4 35 1, 2006, shall obtain state certification consistent with the
5 1 provisions of the bill.

5 2 The bill provides that a person appointed to serve as a
5 3 reserve peace officer shall meet mandatory in-service training
5 4 requirements established by academy rules if the person has
5 5 not served as an active peace officer within 180 days of
5 6 appointment as a reserve peace officer.

5 7 The bill provides that reserve peace officer training shall
5 8 be provided by an academy-certified instructor in a community
5 9 college or other approved facility, including a law
5 10 enforcement agency.

5 11 LSB 5343DP 81

5 12 rh:nh/gg/14.1