

House File 365 - Introduced

HOUSE FILE _____
BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 7)

Passed House, Date _____ Passed Senate, 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 1835HV 82
5 rh/gg/14

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1 1 Section 1. Section 80D.1A, Code 2007, 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 2007, 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 2007, 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 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, 2007, shall obtain state
3 22 certification by July 1, 2012.

3 23 Sec. 3. Section 80D.4, Code 2007, 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 instructors in a community college or other
3 29 facility, including a law enforcement agency, selected by the
3 30 individual and approved by the law enforcement agency and the
3 31 academy. Upon satisfactory completion of training required by
3 32 the Iowa law enforcement academy, the chief of police,
3 33 sheriff, commissioner of public safety, or director of the
3 34 judicial district department of correctional services academy

3 35 shall certify the individual as a reserve peace officer.
4 1 Sec. 4. NEW SECTION. 80D.4A TRAINING AND CERTIFICATION

4 2 REQUIREMENTS.

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

4 9 EXPLANATION

4 10 This bill relates to standardized training and
4 11 certification standards for reserve peace officers in Iowa.

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

4 27 The bill further specifies that academy-approved reserve
4 28 officer training received prior to July 1, 2007, may be
4 29 applied to meet the minimum training requirements established

4 30 by academy rules and that a peace officer is eligible for
4 31 state certification as a reserve peace officer upon
4 32 satisfactory completion of the requirements specified by
4 33 academy rules. A reserve peace officer appointed after July
4 34 1, 2007, shall obtain state certification consistent with the
4 35 provisions of the bill by July 1, 2012.

5 1 The bill provides that a person appointed to serve as a
5 2 reserve peace officer shall meet mandatory in-service training
5 3 requirements established by academy rules if the person has
5 4 not served as an active peace officer within 180 days of
5 5 appointment as a reserve peace officer.

5 6 The bill provides that reserve peace officer training shall
5 7 be provided by an instructor in a community college or other
5 8 approved facility, including a law enforcement agency.

5 9 LSB 1835HV 82

5 10 rh:nh/gg/14