

House File 2083 - Introduced

HOUSE FILE 2083

BY WENDT and WHITEAD

(COMPANION TO SF 2027 BY
WARNSTADT)

A BILL FOR

- 1 An Act relating to the authority of a certified law enforcement
- 2 officer.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 817.3 Certified law enforcement
2 officers — oaths, signatures, and testimony.

3 A law enforcement officer, as defined in section 80B.3,
4 who is certified by the Iowa law enforcement academy, may
5 administer oaths, acknowledge signatures, and take voluntary
6 testimony pursuant to the officer's duties as provided by law.

7 EXPLANATION

8 This bill provides that a law enforcement officer certified
9 by the Iowa law enforcement academy may administer oaths,
10 acknowledge signatures, and take voluntary testimony pursuant
11 to the officer's duties as provided by law.

12 Current law allows a peace officer under Code section 80.9A
13 to perform the same functions. A peace officer, as defined in
14 Code section 97A.1, is a member, except a non-peace officer
15 member, of the division of state patrol, narcotics enforcement,
16 state fire marshal, or criminal investigation, including but
17 not limited to a gaming enforcement officer, who has passed a
18 satisfactory physical and mental examination and has been duly
19 appointed by the department of public safety in accordance with
20 Code section 80.15 (Code section 97A.1).

21 A certified law enforcement officer, as defined in Code
22 section 80B.3, is an officer appointed by the director of the
23 department of natural resources, a member of a police force
24 or other agency or department of the state, county, city,
25 or tribal government regularly employed as such and who is
26 responsible for the prevention and detection of crime and
27 the enforcement of the criminal laws of this state and all
28 individuals, as determined by the law enforcement academy
29 council, who by the nature of their duties may be required to
30 perform the duties of a peace officer.