

House File 2413 - Introduced

HOUSE FILE 2413

BY RINKER

A BILL FOR

1 An Act relating to the revocation or suspension of a law
2 enforcement officer's certification or a reserve peace
3 officer's certification.

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

1 Section 1. Section 80B.13A, subsection 2, Code 2024, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *d.* Has twice been convicted of a violation
4 of section 321J.2, with the second or subsequent conviction
5 occurring on or after July 1, 2024, regardless of whether the
6 currently certified law enforcement officer or reserve peace
7 officer is currently employed by a law enforcement agency or
8 not and regardless of whether the currently certified law
9 enforcement officer or reserve peace officer was employed at
10 the time of the violation or conviction. For purposes of this
11 paragraph, "convicted" means found guilty of or pled guilty to
12 a violation of section 321J.2.

13 EXPLANATION

14 The inclusion of this explanation does not constitute agreement with
15 the explanation's substance by the members of the general assembly.

16 This bill relates to the revocation or suspension of a
17 law enforcement officer's certification or a reserve peace
18 officer's certification.

19 The bill provides that the law enforcement academy council
20 shall revoke the certification of a law enforcement officer or
21 reserve peace officer upon a finding that the law enforcement
22 officer or reserve peace officer has twice pled guilty to
23 or been convicted of operating while under the influence of
24 alcohol or a drug, while having an alcohol concentration of
25 .08 or more, or while any amount of a controlled substance was
26 present in the officer, as measured in the officer's blood or
27 urine. The second or subsequent conviction must occur after
28 July 1, 2024, for the officer to be decertified, regardless of
29 whether the currently certified officer is currently employed
30 by a law enforcement agency, and regardless of whether the
31 currently certified officer was employed at the time of the
32 violation or conviction.