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peace officer.

__ BILL NO. 326 1 INTRODUCED BY 2 By request (Montara Council on Criminal Justice 3 Standards and Goals) A BILL FOR AN ACT ENTITLED: MAN ACT TO ESTABLISH TRAINING REQUIREMENTS FOR PEACE OFFICERS." 6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 7 Section 1. Short title. This act may be cited as the 8 9 "Peace Officer Training Act". Section 2. Purpose. The purpose of this act is to 10 establish minimum training requirements for peace officers. 11 12 Section 3. Peace officer training requirements. (1) As used in this act, "peace officer" means an undersheriff or 13 14 deputy sheriff of any county; a member of the police force 15 of any city, municipality, or town; and the marshal of any 16 town. This term does not include employees of state 17 government or law enforcement agencies, or any temporary, reserve, auxiliary, special, or part-time police officers or 13 19 deputy Sheriffs. 20 (2) Any peace officer who is first employed as a peace 21 officer after July 1. 1973. shall complete the minimum basic

peace officer training course established by the Montana

board of crime control prior to exercising the powers of a

(3) A certificate shall be awarded to a peace officer

upon successful completion of the certified basic training
 course.
 (4) Training requirements may be waived by the Hontana

(4) Training requirements may be waived by the Montana board of crime control upon showing of proof that the officer has successfully completed a proper training and education program as determined by the Montana board of crime control or, if by reason of extensive prior law enforcement experience, the basic training requirement is considered unnecessary.

Section 4. Appointment of temporary peace officers.

(1) The chief executive of a police department or a sheriff may appoint temporary peace officers when through some unforeseen occurrence or because of training requirements temporary peace officers are required.

15 (2) The temporary officers may be retired beace 16 officers, sworn reserve officers, or peace officers from 17 another law enforcement agency.

18 (3) The term of a temporary peace officer may not 19 exceed '30 days without the consent of the governing body of 20 the locality.

21 (4) In no event may a temporary officer serve for a 22 term to exceed 6 months.

Section 5. Funding of peace officer's training. (1)
There is hereby established a peace officers' training fund.

to be administered within the budget of the Montana law

enforcement academy.

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- (2) All courts of the state shall forward \$1 of every fine or forfeited bond to the budget administrator of the Montana law enforcement academy. However, no such assessment may be made against any person convicted for violation of any state statute, municipal ordinance, or county ordinance relating to the parking of vehicles.
- (3) The budget administrator of the Montana law enforcement academy shall reimburse an employing law enforcement agency 100% of the salary it paid to a peace officer who attended a state-mandated training course during the time of attendance at the course.
- 13 (4) The basic training course must consist of at least
 14 280 hours of instruction and be successfully completed by
 15 the peace officer before reimbursement prescribed in
 16 subsection (3) of this section may be made.

-End-

STATE OF MONTANA

FISCAL NOTE

REQUEST NO. __150-77

Form BD-15

	FOTM BU-13
In compliance with a written request received January 24 for House Bill 326 pursuant to Chapter 53, Background information used in developing this Fiscal Note is available of the Legislature upon request.	Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.
DESCRIPTION: An act to establish training requirements for peace officers.	
ASSUMPTION:	

- 1. The mandated training course refers only to the basic course.
- 2. The average hourly salary for the basic student is \$4.40 per hour in FY78 and \$4.62 per hour in FY79.
- 3. 171,475 applicable citations would be issued in FY78 and 180,048 in FY79.
- 4. Reimbursements as required for 129 students in FY78 and 126 students in FY79 would be necessary.

FISCAL IMPACT:

Revenue

Additional revenue due to proposed law

\$171,475

\$180,048

Additional expenditures due to proposed law

\$158 928

\$162,994

TECHNICAL NOTE:

- 1. Section 4.(2) should read -- all courts of the state shall forward \$1.... to the state treasurer to be deposited into the Law Enforcement Academy earmarked revenue account.
- 2. It appears that line 17, page 1, should read "employees of state government law enforcement agencies".

BUDGET DIRECTOR
Office of Budget and Program Planning

Date: 1-27-77

45th Legislature HB 0326702 HB 0326/02

Approved by Committee on Judiciary

1	HOUSE BILL NO. 326
2	INTRODUCED BY LORY. SCULLY
3	BY REQUEST OF THE MONTANA COUNCIL
4	ON CRIMINAL JUSTICE STANDARDS AND GOALS
5	
6	A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH TRAINING
7	REQUIREMENTS FOR PEACE OFFICERS.
8	
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
0	Section 1. Short title. This act may be cited as the
1	"Peace Officer Training Act".
2	Section 2. Purpose. The purpose of this act is to
3	establish minimum training requirements for peace officers.
L 4	Section 3. Peace officer training requirements. (1) As
.5	used in this act, "peace officer" means an undersheriff or
16	deputy sheriff of any county; a member of the police force
. 7	of any city, municipality, or town; and the marshal of any
18	town. This term does not include employees of state
9	qovernment or law enforcement agencies, or any temporary,
20	reserve, auxiliary, special, or part-time police officers or
21	deputy sheriffs.
	• •
22	(2) Any peace officer who is first employed as a peace
23	officer after July 1, 1978, shall complete the minimum basic
4	peace officer training course established by the Montana
25	 board of crime control prior to exercising the powers of a

- peace officer.
- 2 (3) A certificate shall be awarded to a peace officer 3 upon successful completion of the certified basic training course.
- 5 (4) Training requirements may be waived by the Montana board of crime control upon showing of proof that the 7 officer has successfully completed a proper training and education program as determined by the Montana board of crime control or, if by reason of extensive prior law enforcement experience, the basic training requirement is 10 11 considered unnecessary.
- 12 . Section 4. Appointment of temporary peace officers. 13 (1) The chief executive of a police department or a sheriff 14 may appoint temporary peace officers when through some unforeseen occurrence or because of training requirements 15 16 temporary peace officers are required.
- 17 (2) The temporary officers may be retired peace 18 officers, sworn reserve officers, or peace officers from 19 another law enforcement agency.
- 20 (3) The term of a temporary peace officer may not exceed 30 days without the consent of the governing body of 21 the locality. 22
- (4) In no event may a temporary officer serve for a 23 24 term to exceed 6 months.
- Section 5. Funding of peace officer's training. (1) 25

- There is hereby established a peace officers' training fund,

 to be administered within the budget of the Montana law
 enforcement academy.
 - (2) All courts of the state shall forward \$1 of every fine or forfeited bond to the budget administrator of the Montana law enforcement academy. However, no such assessment may be made against any person convicted for violation of any state statute, municipal ordinance, or county ordinance relating to the parking of vehicles.

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- (3) The budget administrator of the Montana law enforcement academy shall reimburse an employing law enforcement agency 100% of the salary it paid to a peace officer who attended a state-mandated training course during the time of attendance at the course.
- (4) The basic training course must consist of at least 280 hours of instruction and be successfully completed by the peace officer before reimbursement prescribed in subsection (3) of this section may be made.

-End-

45th Legislature HS 0326/03

1	HOUSE BILL NO. 326
S	INTRODUCED BY LORY, SCULLY
3	BY REQUEST OF THE MONTANA COUNCIL
4	ON CRIMINAL JUSTICE STANDARDS AND GOALS
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HB 0326/03

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- (4) The basic training course must consist of at least 280 hours of instruction and be successfully completed by the peace officer before reimbursement prescribed in subsection (3) of this section may be made.

-End-

SENATE STANDING COMMITTEE REPORT Committee on Judiciary

That House Bill No. 326, third reading, be amended as follows:

1. Amend page 2, line 25 through line 18 on page 3.

Following: line 24

Strike: section 5 in its entirety

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upon s	ucce	ssful	completion	on of	the	certified	basic	trainin
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 - Section-5*--funding-of-peace--officer^s--training*--{1}

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