

1 H BILL NO. 326
 2 INTRODUCED BY Long Sully
 3 By request (Montana Council on Criminal Justice
 Standards and Goals)
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH TRAINING
 5 REQUIREMENTS FOR PEACE OFFICERS."
 6

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 8 Section 1. Short title. This act may be cited as the
 9 "Peace Officer Training Act".

10 Section 2. Purpose. The purpose of this act is to
 11 establish minimum training requirements for peace officers.

12 Section 3. Peace officer training requirements. (1) As
 13 used in this act, "peace officer" means an undersheriff or
 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,
 18 reserve, auxiliary, special, or part-time police officers or
 19 deputy sheriffs.

20 (2) Any peace officer who is first employed as a peace
 21 officer after July 1, 1976, shall complete the minimum basic
 22 peace officer training course established by the Montana
 23 board of crime control prior to exercising the powers of a
 24 peace officer.

25 (3) A certificata shall be awarded to a peace officer

1 upon successful completion of the certified basic training
 2 course.

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

10 Section 4. Appointment of temporary peace officers.

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

15 (2) The temporary officers may be retired peace
 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.

23 Section 5. Funding of peace officer's training. (1)
 24 There is hereby established a peace officers' training fund,
 25 to be administered within the budget of the Montana law

1 enforcement academy.

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

8 (3) The budget administrator of the Montana law
9 enforcement academy shall reimburse an employing law
10 enforcement agency 100% of the salary it paid to a peace
11 officer who attended a state-mandated training course during
12 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

REQUEST NO. 150-77

FISCAL NOTE

Form BD-15

In compliance with a written request received January 24, 19 77, there is hereby submitted a Fiscal Note for House Bill 326 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

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	<u>\$171,475</u>	<u>\$180,048</u>
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Additional expenditures due to proposed law	<u>\$158,928</u>	<u>\$162,994</u>
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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".

Rickard L. Drury for

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-27-77

Approved by Committee
on Judiciary

HOUSE BILL NO. 326

INTRODUCED BY LORY, SCULLY

BY REQUEST OF THE MONTANA COUNCIL

ON CRIMINAL JUSTICE STANDARDS AND GOALS

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deputy sheriffs.

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board of crime control prior to exercising the powers of a

peace officer.

(3) A certificate shall be awarded to a peace officer
upon successful completion of the certified basic training
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(4) Training requirements may be waived by the Montana
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education program as determined by the Montana board of
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officers, sworn reserve officers, or peace officers from
another law enforcement agency.

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

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

Section 5. Funding of peace officer's training. (1)

1 There is hereby established a peace officers' training fund,
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5 fine or forfeited bond to the budget administrator of the
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13 officer who attended a state-mandated training course during
14 the time of attendance at the course.

15 (4) The basic training course must consist of at least
16 280 hours of instruction and be successfully completed by
17 the peace officer before reimbursement prescribed in
18 subsection (3) of this section may be made.

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-End-

March 30, 1977

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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