

1 H.765

2 Introduced by Representatives Lippert of Hinesburg, Conquest of Newbury,  
3 Donaghy of Poultney, Fay of St. Johnsbury, Goodwin of  
4 Weston, Grad of Moretown, Marek of Newfane, Sweaney of  
5 Windsor, Waite-Simpson of Essex, and Wizowaty of  
6 Burlington

7 Referred to Committee on

8 Date:

9 Subject: Public safety; Vermont Criminal Justice Training Council; law  
10 enforcement officers; part-time certification

11 Statement of purpose of bill as introduced: This bill proposes to eliminate the  
12 part-time certification of law enforcement officers by the Vermont Criminal  
13 Justice Training Council.

14 An act relating to eliminating the part-time certification of law enforcement  
15 officers

16 It is hereby enacted by the General Assembly of the State of Vermont:

1 Sec. 1. 20 V.S.A. § 2358 is amended to read:

2 § 2358. MINIMUM TRAINING STANDARDS

3 (a) Unless waived by the Council under standards adopted by rule, and  
4 notwithstanding any statute or charter to the contrary, no person shall exercise  
5 law enforcement authority:

6 ~~(1) as a part-time law enforcement officer without completing a basic~~  
7 ~~training course within a time prescribed by rule of the Council; or~~

8 ~~(2) as a full-time law enforcement officer without either:~~

9 ~~(A) completing a basic training course in the time and manner~~  
10 ~~prescribed by the Council; or~~

11 ~~(B) having received, before July 1, 1968, permanent full-time~~  
12 ~~appointment as a law enforcement officer, and completing a basic training~~  
13 ~~course before July 1, 1982.~~

14 ~~(3) as a full or part-time law enforcement officer without and~~  
15 ~~completing annual in-service training requirements as prescribed by the~~  
16 ~~Council.~~

17 (b) All programs required by this section shall be approved by the Council.

18 Completion of a program shall be established by a certificate to that effect  
19 signed by the Executive Director of the Council.

20 (c) As used in this section:

1           (1) ~~“Law, “law~~ enforcement officer” means a member of the  
2 Department of Public Safety who exercises law enforcement powers, a  
3 member of the State police, a ~~capitol police~~ Capitol Police officer, a municipal  
4 police officer, a constable who exercises law enforcement powers, a motor  
5 vehicle inspector, an employee of the Department of Liquor Control who  
6 exercises law enforcement powers, an investigator employed by the Secretary  
7 of State, Board of Medical Practice investigators employed by the Department  
8 of Health, Attorney General, or a ~~state’s attorney~~ State’s Attorney, a fish and  
9 game warden, a sheriff, or deputy sheriff who exercises law enforcement  
10 powers, ~~or~~ a railroad police officer commissioned pursuant to 5 V.S.A. chapter  
11 68, subchapter 8, or a police officer appointed to the University of Vermont’s  
12 Department of Police Services.

13           (2) ~~“Full-time law enforcement officer” means a law enforcement~~  
14 ~~officer with duties of a predictable and continuing nature which require more~~  
15 ~~than 32 hours per week and more than 25 weeks per year. [Repealed.]~~

16           (3) ~~“Part-time law enforcement officer” means a law enforcement~~  
17 ~~officer who is not employed full-time. [Repealed.]~~

18           (d) ~~The council may determine whether a particular position is full-time or~~  
19 ~~part-time. [Repealed.]~~

1           (e) The criteria for all minimum training standards under this section shall  
2 include anti-bias training approved by the ~~Vermont Criminal Justice Training~~  
3 Council.

4           Sec. 2. TRANSITIONAL PROVISION; GRANDFATHERING OF  
5                           PART-TIME LAW ENFORCEMENT OFFICERS

6           Any law enforcement officer certified by the Vermont Criminal Justice  
7 Training Council as a part-time law enforcement officer on the effective date  
8 of Sec. 1 of this act may continue to hold that certification and practice as a  
9 law enforcement officer, but shall be required to complete the annual  
10 in-service training for any law enforcement officer provided by the Council  
11 pursuant to the terms of Sec. 1 of this act.

12           Sec. 3. EFFECTIVE DATES

13           (a) Sec. 1 shall take effect on January 1, 2015.

14           (b) This section and Sec. 2 shall take effect on passage.