

H.7

An act relating to miscellaneous amendments to laws regarding law enforcement officer certification

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

* * * Capitol Police Officers * * *

Sec. 1. REPEAL

2014 Acts and Resolves No. 141, Sec. 10 (amending 2 V.S.A. § 70 (Capitol Police Department)) is repealed.

Sec. 2. 2 V.S.A. § 70 is amended to read:

§ 70. CAPITOL POLICE DEPARTMENT

* * *

(b) Powers; training.

(1) A Capitol police officer Police officer shall have all the same powers and authority as sheriffs and other law enforcement officers anywhere in the State, which shall include the authority to arrest persons and enforce the civil and criminal laws, keep the peace, provide security, and to serve civil and criminal process. For this purpose, ~~capitol police officers~~ a Capitol Police officer shall subscribe to the same oaths required for sheriffs.

(2) Notwithstanding any other provision of law to the contrary, a ~~capitol police~~ Capitol Police officer shall be a Level III law enforcement officer certified by the Vermont ~~criminal justice training council~~ Criminal Justice Training Council pursuant to the provisions of 20 V.S.A. chapter 151.

* * *

* * * Sheriffs * * *

Sec. 3. 24 V.S.A. § 312 is amended to read:

§ 312. JURISDICTION OF SHERIFFS

~~(a) Subject to subsection (b) of this section, the~~ The powers of sheriffs with respect to criminal matters and the enforcement of the law may be exercised statewide.

~~(b) A sheriff may exercise law enforcement powers statewide only if the sheriff has completed the training requirements established for full-time or part-time law enforcement officers under section 2358 of Title 20.~~

* * * Village of North Troy Charter Provision * * *

Sec. 4. 24 App. V.S.A. chapter 253, § 20 is amended to read:

§ 20. VILLAGE CONSTABLE

An office of Village Constable is established in the Village of North Troy. The Village Constable shall be appointed by the Village ~~trustees~~ Trustees and serve at the pleasure of the ~~trustees~~ Trustees. ~~The~~ If the Village Constable ~~shall, if he or she has completed the training requirements for~~ is certified as a ~~full-time or part-time~~ Level II or Level III law enforcement officer under 20 V.S.A. § 2358, he or she shall have the authority to enforce any Village ordinance.

* * * Investigators Employed by the Board of Medical Practice * * *

Sec. 5. REPEAL

2014 Acts and Resolves No. 141, Sec. 20 (amending 26 V.S.A. § 1351
(Board of Medical Practice)) is repealed.

Sec. 6. 26 V.S.A. § 1351 is amended to read:

§ 1351. BOARD OF MEDICAL PRACTICE

* * *

(f)(1) ~~Classified~~ A classified State ~~employees~~ employee who ~~are~~ is employed as ~~investigators~~ an investigator by the Department of Health who ~~currently meet the standards of training for~~ is certified as a full-time Level III law enforcement officer under 20 V.S.A. chapter 151 shall have the same powers as sheriffs in criminal matters and the enforcement of the law and in serving criminal process, and shall have all the immunities and matters of defense now available or hereafter made available to sheriffs in a suit brought against ~~them~~ him or her in consequence for acts done in the course of ~~their~~ his or her employment.

(2) A Board of Medical Practice ~~investigators~~ investigator employed by the Department of Health who ~~do~~ is not ~~currently meet the standards of training for~~ certified as a full-time Level III law enforcement officer under 20 V.S.A. chapter 151 shall annually obtain a minimum of 25 hours of training

regarding the methods of conducting investigations of alleged unprofessional conduct, as approved by the Board.

(3) Any Board of Medical Practice investigator employed by the Department of Health shall obtain as soon as practicable and thereafter maintain certification by a nationally or regionally recognized entity regarding the investigation of licensing cases, as approved by the Board.

Sec. 7. EFFECTIVE DATES

(a) This section and the following sections shall take effect on passage:

(1) Sec. 1 (repealing 2014 Acts and Resolves No. 141, Sec. 10);

(2) Sec. 3 (amending 24 V.S.A. § 312); and

(3) Sec. 5 (repealing 2014 Acts and Resolves No. 141, Sec. 20).

(b) All other sections shall take effect on July 1, 2015.