

1 H.7

2 Introduced by Representative Hubert of Milton

3 Referred to Committee on

4 Date:

5 Subject: Public safety; law enforcement officers; certification

6 Statement of purpose of bill as introduced: This bill proposes to make
7 miscellaneous amendments to laws regarding law enforcement officer
8 certification.

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

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

12 * * * Capitol Police Officers * * *

13 Sec. 1. REPEAL

14 2014 Acts and Resolves No. 141, Sec. 10 (amending 2 V.S.A. § 70 (Capitol
15 Police Department)) is repealed.

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

17 § 70. CAPITOL POLICE DEPARTMENT

18 * * *

1 (b) Powers; training.

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

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

12 * * *

13 * * * Sheriffs * * *

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

15 § 312. JURISDICTION OF SHERIFFS

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

19 ~~(b) A sheriff may exercise law enforcement powers statewide only if the~~
20 ~~sheriff has completed the training requirements established for full-time or~~
21 ~~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

1 powers as sheriffs in criminal matters and the enforcement of the law and in
2 serving criminal process, and shall have all the immunities and matters of
3 defense now available or hereafter made available to sheriffs in a suit brought
4 against ~~them~~ him or her in consequence for acts done in the course of ~~their~~ his
5 or her employment.

6 (2) A Board of Medical Practice investigator ~~investigators~~ employed by
7 the Department of Health who ~~do~~ is not ~~currently meet the standards of~~
8 ~~training for~~ certified as a full-time Level III law enforcement officer under
9 20 V.S.A. chapter 151 shall annually obtain a minimum of 25 hours of training
10 regarding the methods of conducting investigations of alleged unprofessional
11 conduct, as approved by the Board.

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

16 Sec. 7. EFFECTIVE DATES

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

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

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

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

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