

1 Amend printed bill, page 12, strike lines 26 and 27 and substitute:

2        "(3) NOTWITHSTANDING THIS SECTION, THE P.O.S.T. BOARD SHALL  
3 NOT SUSPEND OR REVOKE A PEACE OFFICER'S CERTIFICATION BASED ON A  
4 FINAL DECISION OF AN INTERNAL INVESTIGATION UNLESS AND UNTIL  
5 SUBSECTIONS (3)(a) AND (3)(b) OF THIS SECTION ARE COMPLIED WITH, NO  
6 LATER THAN ONE HUNDRED EIGHTY DAYS AFTER THE DATE THE LAW  
7 ENFORCEMENT AGENCY REPORTS AN INCIDENT TO THE P.O.S.T. BOARD:

8            (a) THE LAW ENFORCEMENT AGENCY THAT EMPLOYS OR  
9 EMPLOYED THE PEACE OFFICER SHALL NOTIFY THE P.O.S.T. BOARD UPON  
10 ANY SUSTAINED FINDINGS OF SUBSECTION (1)(a)(III) OR (2)(a)(III) OF THIS  
11 SECTION, IN A MANNER DESIGNATED BY THE P.O.S.T. BOARD. UPON  
12 RECEIPT OF THE NOTIFICATION, THE P.O.S.T. BOARD SHALL NOTIFY THE  
13 CERTIFICATE HOLDER OF THE CERTIFICATE HOLDER'S RIGHT TO REQUEST  
14 A HEARING. UPON REQUEST OF THE P.O.S.T. BOARD, THE REPORTING  
15 AGENCY SHALL PROVIDE RELEVANT DOCUMENTS RELATED TO THE  
16 SUSTAINED FINDINGS OF SUBSECTION (1)(a)(III) OR (2)(a)(III). FOR THE  
17 PURPOSES OF THIS SUBSECTION (3), THE RECORDS OF ANY LAW  
18 ENFORCEMENT AGENCY THAT ARE SUBMITTED FOR REVIEW BY THE  
19 P.O.S.T. BOARD REMAIN THE PROPERTY OF THE REPORTING LAW  
20 ENFORCEMENT AGENCY AND ARE NOT SUBJECT TO PUBLIC RELEASE BY THE  
21 P.O.S.T. BOARD.

22            (b) THE CERTIFICATE HOLDER MUST REQUEST A HEARING WITHIN  
23 THIRTY DAYS AFTER RECEIPT OF THE P.O.S.T. BOARD'S NOTIFICATION.  
24 UPON THE REQUEST BY THE CERTIFICATE HOLDER, THE P.O.S.T. BOARD  
25 SHALL REFER THE MATTER TO AN ADMINISTRATIVE LAW JUDGE, WHO  
26 SHALL CONDUCT A HEARING IN COMPLIANCE WITH SECTIONS 24-4-104 AND  
27 24-4-105 TO DETERMINE IF THE OFFICER ENGAGED IN THE ALLEGED  
28 CONDUCT.

29            (c) IF THE CERTIFICATE HOLDER EITHER DOES NOT REQUEST A  
30 HEARING OR REQUESTS A HEARING AND THE ADMINISTRATIVE LAW JUDGE  
31 DETERMINES, AFTER CONDUCTING THE HEARING PURSUANT TO THE RULES  
32 OF THE P.O.S.T. BOARD AND IN COMPLIANCE WITH SECTIONS 24-4-104  
33 AND 24-4-105, THAT THE CERTIFICATE HOLDER VIOLATED SUBSECTION  
34 (1)(a)(III) OR (2)(a)(III) OF THIS SECTION, THE P.O.S.T. BOARD SHALL  
35 REVOKE OR SUSPEND THE PEACE OFFICER'S CERTIFICATION PURSUANT TO  
36 SUBSECTION (1)(a) OR (2)(a) OF THIS SECTION.".

37 Page 13, strike lines 1 through 6.

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