

CHAPTER 246

GOVERNMENT - STATE

SENATE BILL 14-123

BY SENATOR(S) Guzman, Heath, Jones, Kerr, Newell, Nicholson;
also REPRESENTATIVE(S) Kagan, Buckner, Court, Fields, Hullinghorst, Labuda, Rosenthal, Schafer, Tyler.

AN ACT

CONCERNING THE AUTHORITY OF THE PEACE OFFICERS STANDARDS AND TRAINING BOARD, AND, IN CONNECTION THEREWITH, PROVIDING ADDITIONAL RULE-MAKING AUTHORITY; RAISING THE MAXIMUM FEE FOR CERTIFICATION AND SKILLS EXAMS; ALLOWING AWARDING GRANTS TO NONPROFIT ORGANIZATIONS; DENYING CERTIFICATION FOR MUNICIPAL VIOLATIONS; AND MAKING AN APPROPRIATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 24-31-303, **amend** (1) (e), (1) (j), (2) (a) (II), and (3); and **add** (1) (l) and (1) (m) as follows:

24-31-303. Duties - powers of the P.O.S.T. board. (1) The P.O.S.T. board has the following duties:

(e) To certify inspectors of vehicle identification numbers, PROMULGATE RULES DEEMED NECESSARY BY THE BOARD FOR CERTIFICATION OF INSPECTORS OF VEHICLE IDENTIFICATION NUMBERS, and approve RELATED training courses; ~~relating thereto;~~

(j) To establish standards for training of school resource officers, as described in section 24-31-312; ~~and~~

(l) TO PROMULGATE RULES DEEMED NECESSARY BY THE BOARD CONCERNING ANNUAL IN-SERVICE TRAINING REQUIREMENTS FOR CERTIFIED PEACE OFFICERS, INCLUDING BUT NOT LIMITED TO EVALUATION OF THE TRAINING PROGRAM AND PROCESSES TO ENSURE SUBSTANTIAL COMPLIANCE BY LAW ENFORCEMENT AGENCIES AND DEPARTMENTS; AND

(m) IN ADDITION TO ALL OTHER POWERS CONFERRED AND IMPOSED UPON THE BOARD IN THIS ARTICLE, THE BOARD HAS THE POWER AND DUTY TO ADOPT AND

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

PROMULGATE, UNDER THE PROVISIONS OF SECTION ~~24-4-103~~, RULES AS THE BOARD MAY DEEM NECESSARY OR PROPER TO CARRY OUT THE PROVISIONS AND PURPOSES OF THIS ARTICLE, WHICH RULES MUST BE FAIR, IMPARTIAL, AND NONDISCRIMINATORY.

(2) (a) The P.O.S.T. board may charge the following fees, the proceeds of which may be used to support the certification of applicants pursuant to this part 3:

(II) For the administration of certification and skills examinations, an amount not to exceed one hundred ~~twenty-five~~ FIFTY dollars per examination per applicant.

(3) The P.O.S.T. board may make grants to local governments, ~~or to any college or university, OR ANY NONPROFIT~~ for the purpose of funding the training programs required by this section.

SECTION 2. In Colorado Revised Statutes, 24-31-305, **amend** (1.5) (g) and (1.5) (h); and **add** (1.5) (i) as follows:

24-31-305. Certification - issuance - renewal - revocation. (1.5) The P.O.S.T. board shall deny certification to any person who has been convicted of:

(g) Any misdemeanor in violation of section 18-6-403 (3) (b.5), C.R.S., as it existed prior to July 1, 2006; ~~or~~

(h) Any misdemeanor in violation of federal law or the law of any state that is the equivalent of any of the offenses specified in paragraphs (a) to (g) of this subsection (1.5); OR

(i) ANY LOCAL MUNICIPAL ORDINANCE THAT IS THE EQUIVALENT OF ANY OF THE OFFENSES SPECIFIED IN PARAGRAPHS (a) TO (g) OF THIS SUBSECTION (1.5).

SECTION 3. In Colorado Revised Statutes, 42-3-304, **amend** (24) as follows:

42-3-304. Registration fees - passenger and passenger-mile taxes - clean screen fund - definitions - repeal. (24) In addition to any other fee imposed by this section, at the time of registration, the owner shall pay a fee of ~~sixty cents~~ ONE DOLLAR on every item of Class A, B, or C personal property required to be registered pursuant to this article. Notwithstanding the requirements of section 43-4-203, C.R.S., such fee shall be transmitted to the state treasurer, who shall credit the same to the peace officers standards and training board cash fund, created in section 24-31-303 (2) (b), C.R.S.; except that county clerks and recorders shall be entitled to retain five percent of the fee collected to cover the clerks' expenses in the collection and remittance of such fee. All of the moneys in the fund that are collected pursuant to this subsection (24) shall be used by the peace officers standards and training board for the purposes specified in section 24-31-310, C.R.S.

SECTION 4. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the P.O.S.T. board cash fund created in section 24-31-303 (2) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of law, for the fiscal year beginning July 1, 2014, the sum of \$1,612,467 and 1.4 FTE, or so much thereof as may be necessary, for allocation to

peace officer standards and training board support for expanded training activities and associated costs related to the implementation of this act.

SECTION 5. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 21, 2014