



# ARIZONA HOUSE OF REPRESENTATIVES

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## **SB 1461: law enforcement officers; probation; termination**

**Sponsor: Senator Payne, LD 27**

**Committee on Public Safety & Law Enforcement**

### **Overview**

Details that an employer cannot terminate, but can demote, a law enforcement officer who is promoted and placed on probationary status for failing to complete their probation period.

### **History**

Administrative rights of peace officers are outlined in Title 38, Chapter 8, Article 1. A law enforcement officer is not subject to disciplinary action except for just cause. Unless the dismissal or demotion is for administrative purposes, including a reduction of force or the law enforcement officer was employed as an at-will employee ([A.R.S. § 38-1101 et al.](#)).

*Just cause* is: 1) the employer informed the law enforcement officer of the possible disciplinary actions resulting from conduct through agency materials so the officer should have reasonably known disciplinary action could occur; 2) the disciplinary action is reasonably related to the standards of conduct for a professional law enforcement officer; 3) the discipline is supported by a preponderance of evidence that the conduct occurred; and 4) the discipline is not excessive and is reasonably related to the seriousness of the offense and the officer's service record ([A.R.S. § 38-1101](#)).

### **Provisions**

1. Restricts an employer from terminating a law enforcement officer who is promoted and placed on probationary status for failing to satisfactorily complete their probation period. (Sec. 1)
2. Permits an employer to demote a law enforcement officer in place of termination as outlined. (Sec. 1)
3. Stipulates that an employer can terminate a law enforcement officer at any time with just cause. (Sec. 1)
4. Makes technical and conforming changes. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note