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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4162

02/22/2024

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The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; amending requirements regarding professional peace
1.3 officer education; amending Minnesota Statutes 2022, sections 626.84, subdivision
1.4 1; 626.843, subdivision 1.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2022, section 626.84, subdivision 1, is amended to read:

1.7 Subdivision 1. **Definitions.** For purposes of sections 626.84 to 626.863, the following
1.8 terms have the meanings given them:

1.9 (a) "Board" means the Board of Peace Officer Standards and Training.

1.10 (b) "Director" means the executive director of the board.

1.11 (c) "Peace officer" means:

1.12 (1) an employee or an elected or appointed official of a political subdivision or law
1.13 enforcement agency who is licensed by the board, charged with the prevention and detection
1.14 of crime and the enforcement of the general criminal laws of the state and who has the full
1.15 power of arrest, and shall also include the Minnesota State Patrol, agents of the Division of
1.16 Alcohol and Gambling Enforcement, state conservation officers, Metropolitan Transit police
1.17 officers, Department of Corrections Fugitive Apprehension Unit officers, and Department
1.18 of Commerce Fraud Bureau Unit officers, and the statewide coordinator of the Violent
1.19 Crime Coordinating Council; and

1.20 (2) a peace officer who is employed by a law enforcement agency of a federally
1.21 recognized tribe, as defined in United States Code, title 25, section 450b(e), and who is
1.22 licensed by the board.

2.1 (d) "Part-time peace officer" means an individual licensed by the board whose services
2.2 are utilized by law enforcement agencies no more than an average of 20 hours per week,
2.3 not including time spent on call when no call to active duty is received, calculated on an
2.4 annual basis, who has either full powers of arrest or authorization to carry a firearm while
2.5 on active duty. The term shall apply even though the individual receives no compensation
2.6 for time spent on active duty, and shall apply irrespective of the title conferred upon the
2.7 individual by any law enforcement agency.

2.8 (e) "Reserve officer" means an individual whose services are utilized by a law
2.9 enforcement agency to provide supplementary assistance at special events, traffic or crowd
2.10 control, and administrative or clerical assistance, and shall include reserve deputies, special
2.11 deputies, mounted or unmounted patrols, and all other employees or volunteers performing
2.12 reserve officer functions. A reserve officer's duties do not include enforcement of the general
2.13 criminal laws of the state, and the officer does not have full powers of arrest or authorization
2.14 to carry a firearm on duty.

2.15 (f) "Law enforcement agency" means:

2.16 (1) a unit of state or local government that is authorized by law to grant full powers of
2.17 arrest and to charge a person with the duties of preventing and detecting crime and enforcing
2.18 the general criminal laws of the state; and

2.19 (2) subject to the limitations in section 626.93, a law enforcement agency of a federally
2.20 recognized tribe, as defined in United States Code, title 25, section 450b(e).

2.21 (g) "Professional peace officer education" means a postsecondary degree program, or a
2.22 nondegree program for persons who already have a college degree, that is offered by a
2.23 college or university in Minnesota or a law enforcement agency, designed for persons
2.24 seeking licensure as a peace officer, and approved by the board.

2.25 Sec. 2. Minnesota Statutes 2022, section 626.843, subdivision 1, is amended to read:

2.26 Subdivision 1. **Rules required.** The board shall adopt rules with respect to:

2.27 (1) the certification of postsecondary schools to provide programs of professional peace
2.28 officer education;

2.29 (2) minimum courses of study and equipment and facilities to be required at each certified
2.30 school within the state;

2.31 (3) minimum qualifications for coordinators and instructors at certified schools offering
2.32 a program of professional peace officer education located within this state;

3.1 (4) minimum standards of physical, mental, and educational fitness which shall govern
3.2 the admission to professional peace officer education programs and the licensing of peace
3.3 officers within the state, by any state, county, municipality, or joint or contractual
3.4 combination thereof, including members of the Minnesota State Patrol;

3.5 (5) board-approved continuing education courses that ensure professional competence
3.6 of peace officers and part-time peace officers;

3.7 (6) minimum standards of conduct which would affect the individual's performance of
3.8 duties as a peace officer. These standards shall be established and published. The board
3.9 shall review the minimum standards of conduct described in this clause for possible
3.10 modification in 1998 and every three years after that time;

3.11 (7) a set of educational learning objectives that must be met within a certified school's
3.12 professional peace officer education program. These learning objectives must concentrate
3.13 on the knowledge, skills, and abilities deemed essential for a peace officer. Education in
3.14 these learning objectives shall be deemed satisfactory for the completion of the minimum
3.15 basic training requirement. Rules adopted by the board must credit the education of
3.16 individuals covered in clauses (8), (9), and (10), and correspondingly reduce the number of
3.17 learning objectives they must meet;

3.18 (8) individuals who have attained a Juris Doctorate from a law school accredited by the
3.19 American Bar Association and individuals who have attained the degree of Bachelor of
3.20 Arts, Bachelor of Sciences, Master of Arts, or other advanced degree from a state college
3.21 or university as defined in section 136F.01, in the field of criminal justice studies. The rules
3.22 must reflect that those individuals have fulfilled categories one and two, core competencies
3.23 and foundational knowledge, of the Professional Peace Officer Education learning objectives;

3.24 (9) individuals who have attained the degree of Bachelor of Arts, Bachelor of Sciences,
3.25 Master of Arts, or other advanced degree from a state college or university as defined in
3.26 section 136F.01, in a field of study within the liberal arts college or its equivalent. The rules
3.27 must reflect that those individuals have fulfilled category one, core competencies, of the
3.28 Professional Peace Officer Education learning objectives;

3.29 (10) individuals who have worked as a corrections officer, as defined by section 241.026,
3.30 or as an emergency medical technician, for five consecutive years. The rules must reflect
3.31 that those individuals have fulfilled category one, core competencies, of the Professional
3.32 Peace Officer Education learning objectives;

4.1 (11) the instructional setting of Professional Peace Officer Education. The rules must
4.2 allow for law enforcement agencies to provide instruction in the remaining Peace Officer
4.3 Education learning objectives for individuals covered in clauses (8), (9), and (10);

4.4 ~~(8)~~ (12) the establishment and use by any political subdivision or state law enforcement
4.5 agency that employs persons licensed by the board of procedures for investigation and
4.6 resolution of allegations of misconduct by persons licensed by the board. The procedures
4.7 shall be in writing and shall be established on or before October 1, 1984;

4.8 ~~(9)~~ (13) the issues that must be considered by each political subdivision and state law
4.9 enforcement agency that employs persons licensed by the board in establishing procedures
4.10 under section 626.5532 to govern the conduct of peace officers who are in pursuit of a
4.11 vehicle being operated in violation of section 609.487, and requirements for the training of
4.12 peace officers in conducting pursuits. The adoption of specific procedures and requirements
4.13 is within the authority of the political subdivision or agency;

4.14 ~~(10)~~ (14) supervision of part-time peace officers and requirements for documentation
4.15 of hours worked by a part-time peace officer who is on active duty. These rules shall be
4.16 adopted by December 31, 1993;

4.17 ~~(11)~~ (15) citizenship requirements for peace officers and part-time peace officers;

4.18 ~~(12)~~ (16) driver's license requirements for peace officers and part-time peace officers;
4.19 and

4.20 ~~(13)~~ (17) such other matters as may be necessary consistent with sections 626.84 to
4.21 626.863. Rules promulgated by the attorney general with respect to these matters may be
4.22 continued in force by resolution of the board if the board finds the rules to be consistent
4.23 with sections 626.84 to 626.863.