

IN THE SENATE

SENATE BILL NO. 1083

BY JUDICIARY AND RULES COMMITTEE

AN ACT

1 RELATING TO EMERGENCY COMMUNICATIONS OFFICERS; AMENDING SECTION 19-5101,
2 IDAHO CODE, TO DEFINE A TERM; AMENDING SECTION 19-5116, IDAHO CODE, TO
3 PROVIDE FOR EMERGENCY COMMUNICATIONS OFFICERS AND TO MAKE TECHNICAL
4 CORRECTIONS; AND AMENDING CHAPTER 51, TITLE 19, IDAHO CODE, BY THE AD-
5 DITION OF A NEW SECTION 19-5119, IDAHO CODE, TO PROVIDE THAT THE COUNCIL
6 SHALL HAVE CERTAIN POWERS, TO PROVIDE STANDARDS OF TRAINING, EDUCATION
7 AND EMPLOYMENT OF EMERGENCY COMMUNICATIONS OFFICERS, TO PROVIDE FOR
8 CERTIFICATION, TO PROVIDE FOR CERTAIN PENALTIES AND TO PROVIDE FOR WHEN
9 TRAINING AND CERTIFICATION SHALL BE COMPLETED.
10

11 Be It Enacted by the Legislature of the State of Idaho:

12 SECTION 1. That Section 19-5101, Idaho Code, be, and the same is hereby
13 amended to read as follows:

14 19-5101. DEFINITIONS. As used in this act:

15 (a) "Council" means the Idaho peace officer standards and training
16 council.

17 (b) "County detention officer" means an employee in a county jail who is
18 responsible for the safety, care, protection, and monitoring of county jail
19 inmates.

20 (c) "Law enforcement" means any and all activities pertaining to crime
21 prevention or reduction and law enforcement, including police, courts,
22 prosecution, corrections, probation, rehabilitation, and juvenile delin-
23 quency.

24 (d) "Peace officer" means any employee of a police or law enforcement
25 agency which is a part of or administered by the state or any political sub-
26 division thereof and whose duties include and primarily consist of the pre-
27 ventation and detection of crime and the enforcement of penal, traffic or high-
28 way laws of this state or any political subdivision. "Peace officer" also
29 means an employee of a police or law enforcement agency of a federally recog-
30 nized Indian tribe who has satisfactorily completed the peace officer stan-
31 dards and training academy and has been deputized by a sheriff of a county or
32 a chief of police of a city of the state of Idaho.

33 (e) "Political subdivision" means any city or county.

34 (f) "Emergency communications officer" means any emergency call taker
35 or dispatcher whose primary responsibility is to receive or dispatch calls
36 for emergency services in the state of Idaho.

37 SECTION 2. That Section 19-5116, Idaho Code, be, and the same is hereby
38 amended to read as follows:

39 19-5116. PEACE OFFICERS STANDARDS AND TRAINING FUND. (a) There is
40 hereby established in the state treasury, the peace officers standards and

1 training fund. All moneys deposited to the fund shall be expended by the
2 peace officer standards and training council for the following purposes:

3 (1) Training peace officers, county detention officers, and self-spon-
4 sored students within the state of Idaho, including, but not limited
5 to, sheriffs and their deputies, officers of the Idaho state police,
6 ~~and~~ conservation officers of the Idaho department of fish and game,
7 emergency communications officers, and city and county prosecutors and
8 their deputies;

9 (2) Salaries, costs and expenses relating to such training as provided
10 in ~~subsection~~ paragraph (1) of this subsection;

11 (3) Such capital expenditures as the peace officer standards and train-
12 ing council may provide for the acquisition, construction and/or im-
13 provement of a peace officer standards and training academy; and

14 (4) Such expenditures as may be necessary to aid approved peace offi-
15 cers training programs or county detention officer programs certified
16 as having met the standards established by the peace officer standards
17 and training council.

18 (b) The peace officers standards and training fund shall be funded as
19 provided in sections 31-3201A and 31-3201B, Idaho Code.

20 (c) All contributions and other moneys and appropriations ~~which are~~
21 designated for peace officers standards and training shall be deposited in
22 the peace officers standards and training fund.

23 (d) Moneys received into the fund as provided in subsection (c) of this
24 section, shall be accounted for separately.

25 (e) If the fiscal year-end balance in the fund pursuant to sec-
26 tions 31-3201A and 31-3201B, Idaho Code, exceeds one million dollars
27 (\$1,000,000), the excess shall revert to the general fund.

28 (f) Moneys received into the fund pursuant to the provisions of sec-
29 tion 31-3201D, Idaho Code, shall be used for the purposes of providing basic
30 training, continuing education and certification of misdemeanor probation
31 officers, whether those officers are employees of or by private sector con-
32 tract with a county.

33 SECTION 3. That Chapter 51, Title 19, Idaho Code, be, and the same is
34 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
35 ignated as Section 19-5119, Idaho Code, and to read as follows:

36 19-5119. POWERS OF THE COUNCIL -- STANDARDS OF TRAINING, EDUCATION AND
37 EMPLOYMENT OF EMERGENCY COMMUNICATIONS OFFICERS -- CERTIFICATION -- PENAL-
38 TIES. (1) The council shall have the duty and the power to:

39 (a) Establish the requirements of minimum basic training for all
40 emergency communications officers, in order to be eligible for perma-
41 nent employment as an emergency communications officer, that can be
42 completed within eighteen (18) months of employment as an emergency
43 communications officer;

44 (b) Establish such basic training and certification, to include alter-
45 native authorized council training, so that certification can be at-
46 tained within eighteen (18) months of employment as an emergency commu-
47 nications officer;

1 (c) Establish the requirements of minimum training standards for em-
2 ployment as an emergency communications officer in probationary, tem-
3 porary, part-time and emergency situations;

4 (d) Certify emergency communications officers as having completed all
5 requirements established by the council to be eligible for permanent
6 employment as an emergency communications officer; and

7 (e) Maintain permanent files and transcripts for all emergency commu-
8 nications officers certified by the council, to include only courses
9 or advanced courses of instruction successfully completed by such
10 emergency communications officers and specifically required to obtain
11 and maintain emergency communications officer certification while
12 employed in this state. Such information shall be made available by
13 the council to any employer upon the receipt of a signed waiver from
14 the emergency communications officer to release such files and tran-
15 scripts.

16 (2) The council shall, upon recommendation of the Idaho public safety
17 communications commission and pursuant to the requirements of this section,
18 establish minimum basic training and certification standards for all emer-
19 gency communications officers whose primary responsibility is to receive
20 and dispatch calls for emergency services in the state of Idaho, and that can
21 be completed within eighteen (18) months of employment.

22 (3) The council shall decertify any emergency communications officer
23 convicted of any felony or offense that would be a felony if committed in this
24 state. The council may decertify any emergency communications officer who:

25 (a) Is convicted of a misdemeanor;

26 (b) Willfully or otherwise falsifies or omits any information to obtain
27 any certified status; or

28 (c) Violates any of the standards of conduct as established by the coun-
29 cil's code of ethics, as adopted and amended by the council.

30 All decertification proceedings taken by the council shall be conducted
31 in accordance with chapter 52, title 67, Idaho Code.

32 (4) Any emergency communications officers who begin employment after
33 July 1, 2017, shall be trained and certified within eighteen (18) months of
34 employment. Current emergency communications officers who began employment
35 between July 1, 2012, and June 30, 2017, shall comply with the training and
36 certification provisions of this section by January 1, 2019. Current emer-
37 gency communications officers who began employment prior to July 1, 2012,
38 may comply with the training and certification provisions of this section at
39 the discretion of their employers.