



## 2013 ASSEMBLY BILL 482

November 1, 2013 – Introduced by Representatives BIES, BALLWEG, T. LARSON, A. OTT, RICHARDS and THIESFELDT, cosponsored by Senators PETROWSKI, L. TAYLOR and LEHMAN. Referred to Committee on Criminal Justice.

1     **AN ACT to repeal** 165.85 (4m); **to renumber** 62.09 (15); **to renumber and**  
2     **amend** 61.28; **to amend** 29.921 (5), 40.02 (48) (b) 4., 60.22 (4), 110.07 (1) (a)  
3     (intro.), 110.07 (6), 165.85 (2) (d), 165.85 (3) (cm), 165.85 (3) (d), 165.85 (5) (title),  
4     165.85 (5) (b), 165.86 (1) (c), 165.92 (2) (a), 175.41 (3) (c), 895.46 (1) (b) 1. and  
5     939.22 (37); **to repeal and recreate** 165.85 (4) and 165.85 (5) (a); and **to create**  
6     61.28 (2), 61.29 (3), 62.09 (15) (a), 165.85 (2) (bv), 165.85 (2) (bx), 165.85 (2) (cm),  
7     165.85 (2) (e) and 165.85 (2) (f) of the statutes; **relating to:** law enforcement  
8     standards and requiring the exercise of rule-making authority.

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### *Analysis by the Legislative Reference Bureau*

Under current law, the Law Enforcement Standards Board (board) is attached to the Department of Justice. There are 15 members on the board who serve four-year terms and, among other duties, establish minimum educational and training standards for law enforcement officers, tribal law enforcement officers, jail officers, juvenile detention officers, and constables.

This bill separates the training standards into three distinct categories: 1) the standards for law enforcement officers and tribal law enforcement officers; 2) the standards for jail officers; and 3) the standards for juvenile detention officers. Under the bill, constables and marshals who are given law enforcement duties are subject

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to the same training standards as law enforcement officers and tribal law enforcement officers.

The bill makes several changes to the training and education standards, including setting forth a training and education protocol for law enforcement students, recruits, and temporary or probationary employees. Under the bill, law enforcement officer students and tribal law enforcement officer students are required to submit fingerprints and undergo a criminal background check. Any person who has been convicted of a felony or of a misdemeanor related to domestic violence may not participate in a student training program for becoming a law enforcement officer or a tribal law enforcement officer. Under the bill, under most circumstances a recruit or a temporary or probationary employee must complete his or her training program within the original period of his or her temporary or probationary employment, not to exceed 12 months, except that the board may extend that period if the recruit or employer shows good cause for the board to do so.

The bill eliminates specific hour requirements for training and education and allows the board to determine the specific outcome criteria and training curricula, including the required subjects, number of hours, objectives, and measures of performance for the training and education protocol for each category of officer. The bill requires the board to develop model standards for use by law enforcement agencies to show handgun proficiency and to include handgun proficiency in the preparatory program and recertification training. The bill allows the board more flexibility than exists under current law for determining how law enforcement agencies are reimbursed for expenses related to training and educating officers.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 29.921 (5) of the statutes is amended to read:

2           29.921 (5) ADDITIONAL ARREST POWERS. In addition to the arrest powers under

3           sub. (1), a warden who has completed a program of law enforcement training

4           approved by the law enforcement standards board, has been certified as qualified to

5           be a law enforcement officer under s. 165.85 (4) ~~(b)~~ (a) 1. and has complied with any

6           applicable requirements under s. 165.85 (4) ~~(b)~~ (a) 7. while on duty and in uniform

7           or on duty and upon display of proper credentials may assist another law

8           enforcement agency as defined under s. ~~165.83 (1) (b)~~ 165.85 (2) (bv) including

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1 making an arrest at the request of the agency, may arrest a person pursuant to an  
2 arrest warrant concerning the commission of a felony or may arrest a person who has  
3 committed a crime in the presence of the warden. If the warden makes an arrest  
4 without the presence of another law enforcement agency, the warden shall cause the  
5 person arrested to be delivered to the chief of police or sheriff in the jurisdiction  
6 where the arrest is made, along with the documents and reports pertaining to the  
7 arrest. The warden shall be available as a witness for the state. A warden may not  
8 conduct investigations for violations of state law except as authorized in ss. 23.11 (4),  
9 29.924 (1) and 41.41 (12). A warden acting under the authority of this subsection is  
10 considered an employee of the department and is subject to its direction, benefits and  
11 legal protection. The authority granted in this section does not apply to county  
12 conservation wardens or special conservation wardens.

13 **SECTION 2.** 40.02 (48) (b) 4. of the statutes is amended to read:

14 40.02 (48) (b) 4. A “member of the state traffic patrol” includes one division  
15 administrator in the department of transportation who is counted under s. 230.08  
16 (2) (e) 12. and whose duties include supervising the state traffic patrol, if the division  
17 administrator is certified by the law enforcement standards board under s. 165.85  
18 (4) (b) (a) 1. as being qualified to be a law enforcement officer.

19 **SECTION 3.** 60.22 (4) of the statutes is amended to read:

20 60.22 (4) JURISDICTION OF CONSTABLE. Shall determine the jurisdiction and  
21 duties of the town constable. ~~The town board may also require the town constable~~  
22 ~~to complete training under s. 165.85 (4m)~~ A town constable who is given law  
23 enforcement duties by the town board, and who meets the definition of a law  
24 enforcement officer under s. 165.85 (2) (c), shall comply with the minimum

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1 employment standards for law enforcement officers established by the law  
2 enforcement standards board and shall complete training under s. 165.85 (4) (a) 1.

3 **SECTION 4.** 61.28 of the statutes is renumbered 61.28 (1) and amended to read:

4 61.28 (1) The village marshal shall execute and file an official bond. The  
5 marshal shall possess the powers, enjoy the privileges and be subject to the liabilities  
6 conferred and imposed by law upon constables, and be taken as included in all writs  
7 and papers addressed to constables. The marshal shall obey all lawful written orders  
8 of the village board; ~~and arrest with or without process every person found in the~~  
9 ~~village engaged in any disturbance of the peace or violating any law of the state or~~  
10 ~~ordinance of the village. The marshal may command all persons present in that case~~  
11 ~~to assist, and if any person, being so commanded, refuses or neglects to render~~  
12 ~~assistance the person shall forfeit not exceeding \$10.~~ The marshal is entitled to the  
13 same fees prescribed for sheriffs in s. 814.70 for similar services, unless a higher fee  
14 is applicable under s. 814.705 (1) (c); for other service rendered the village,  
15 compensation as the board fixes.

16 **SECTION 5.** 61.28 (2) of the statutes is created to read:

17 61.28 (2) A village marshal who is given law enforcement duties by the village  
18 board, and who meets the definition of a law enforcement officer under s. 165.85 (2)  
19 (c), shall comply with the minimum employment standards for law enforcement  
20 officers established by the law enforcement standards board and shall complete  
21 training under s. 165.85 (4) (a) 1.

22 **SECTION 6.** 61.29 (3) of the statutes is created to read:

23 61.29 (3) A village constable who is given law enforcement duties by the village  
24 board, and who meets the definition of a law enforcement officer under s. 165.85 (2)  
25 (c), shall comply with the minimum employment standards for law enforcement

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1 officers established by the law enforcement standards board and shall complete  
2 training under s. 165.85 (4) (a) 1.

3 **SECTION 7.** 62.09 (15) of the statutes is renumbered 62.09 (15) (b).

4 **SECTION 8.** 62.09 (15) (a) of the statutes is created to read:

5 62.09 (15) (a) A constable who is given law enforcement duties by the common  
6 council, and who meets the definition of a law enforcement officer under s. 165.85 (2)  
7 (c), shall comply with the minimum employment standards for law enforcement  
8 officers established by the law enforcement standards board and shall complete  
9 training under s. 165.85 (4) (a) 1.

10 **SECTION 9.** 110.07 (1) (a) (intro.) of the statutes is amended to read:

11 110.07 (1) (a) (intro.) The secretary shall employ not more than 399 traffic  
12 officers. The state traffic patrol consists of the traffic officers, the person designated  
13 to head them whose position shall be in the classified service and, if certified under  
14 s. 165.85 (4) ~~(b)~~ (a) 1. as qualified to be a law enforcement officer, the division  
15 administrator who is counted under s. 230.08 (2) (e) 12. and whose duties include  
16 supervising the state traffic patrol. The division administrator may not be counted  
17 under this paragraph. Members of the state traffic patrol shall:

18 **SECTION 10.** 110.07 (6) of the statutes is amended to read:

19 110.07 (6) The division administrator who is counted under s. 230.08 (2) (e) 12.  
20 and whose duties include supervising the state traffic patrol shall be designated  
21 superintendent of the state traffic patrol, if he or she is certified under s. 165.85 (4)  
22 ~~(b)~~ (a) 1. as qualified to be a law enforcement officer.

23 **SECTION 11.** 165.85 (2) (bv) of the statutes is created to read:

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1           165.85 (2) (bv) “Law enforcement agency” means a governmental unit of this  
2 state or a political subdivision of this state that employs one or more law enforcement  
3 officers.

4           **SECTION 12.** 165.85 (2) (bx) of the statutes is created to read:

5           165.85 (2) (bx) “Law enforcement instructor” means a person who is certified  
6 by the board to deliver board-approved program outcomes, course competencies,  
7 performance standards, and learning objectives in training programs and training  
8 schools for law enforcement officers, tribal law enforcement officers, jail officers, and  
9 juvenile detention officers.

10          **SECTION 13.** 165.85 (2) (cm) of the statutes is created to read:

11          165.85 (2) (cm) “Police pursuit” has the meaning given in s. 85.07 (8) (a).

12          **SECTION 14.** 165.85 (2) (d) of the statutes is amended to read:

13          165.85 (2) (d) “Political subdivision” means counties, cities, villages, towns,  
14 town sanitary districts ~~and~~, public inland lake protection and rehabilitation  
15 districts, and technical college districts.

16          **SECTION 15.** 165.85 (2) (e) of the statutes is created to read:

17          165.85 (2) (e) “Preservice student” means any person who meets the minimum  
18 recruitment qualifications set by the board and who enrolls in preparatory training  
19 under sub. (4) (a) 1. (b) 1., or (c) 1. prior to employment as a law enforcement officer,  
20 tribal law enforcement officer, jail officer, or juvenile detention officer.

21          **SECTION 16.** 165.85 (2) (f) of the statutes is created to read:

22          165.85 (2) (f) “Recruit” means a law enforcement officer, tribal law enforcement  
23 officer, jail officer, or juvenile detention officer employed on a probationary or  
24 temporary basis, in compliance with the minimum recruitment qualifications set by  
25 the board.

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1           **SECTION 17.** 165.85 (3) (cm) of the statutes is amended to read:

2           165.85 **(3)** (cm) Decertify law enforcement, tribal law enforcement, jail or  
3 juvenile detention officers who terminate employment or are terminated, who  
4 violate or fail to comply with a rule, policy, or order of the board relating to curriculum  
5 or training, who falsify information to obtain or maintain certified status, who are  
6 certified as the result of an administrative error, who are convicted of a felony or of  
7 any offense that, if committed in Wisconsin, could be punished as a felony, who are  
8 convicted of a misdemeanor crime of domestic violence, or who fail to pay  
9 court-ordered payments of child or family support, maintenance, birth expenses,  
10 medical expenses, or other expenses related to the support of a child or former  
11 spouse, or who fail to comply, after appropriate notice, with a subpoena or warrant  
12 issued by the department of children and families or a county child support agency  
13 under s. 59.53 (5) and related to paternity or child support proceedings. The board  
14 shall establish procedures for decertification in compliance with ch. 227, except that  
15 decertification for failure to pay court-ordered payments of child or family support,  
16 maintenance, birth expenses, medical expenses, or other expenses related to the  
17 support of a child or former spouse or for failure to comply, after appropriate notice,  
18 with a subpoena or warrant issued by the department of children and families or a  
19 county child support agency under s. 59.53 (5) and related to paternity or child  
20 support proceedings shall be done as provided under sub. (3m) (a).

21           **SECTION 18.** 165.85 (3) (d) of the statutes is amended to read:

22           165.85 **(3)** (d) Establish minimum curriculum requirements for preparatory  
23 courses and programs, and recommend minimum curriculum requirements for  
24 recertification and advanced courses and programs, in schools approved by the board  
25 and operated by or for this state or any political subdivision of the state for the

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1 specific purpose of training law enforcement recruits, law enforcement officers,  
2 tribal law enforcement recruits, tribal law enforcement officers, jail officer recruits,  
3 jail officers, juvenile detention officer recruits, or juvenile detention officers in areas  
4 of knowledge and ability necessary to the attainment of effective performance as an  
5 officer, and ranging from subjects such as first aid, patrolling, statutory authority,  
6 techniques of arrest, protocols for official action by off-duty officers, firearms, and  
7 recording custodial interrogations to subjects designed to provide a better  
8 understanding of ever-increasing complex problems in law enforcement such as  
9 human relations, civil rights, constitutional law, and supervision, control, and  
10 maintenance of a jail or juvenile detention facility. The board shall appoint a  
11 13-member ~~advisory~~ curriculum advisory committee consisting of 6 chiefs of police  
12 and 6 sheriffs to be appointed on a geographic basis of ~~not more than one chief of~~  
13 ~~police and one sheriff from any one of the 8 state administrative districts~~ together  
14 with the director of training of the Wisconsin state patrol. This committee shall  
15 advise the board in the establishment of the curriculum requirements.

16 **SECTION 19.** 165.85 (4) of the statutes is repealed and recreated to read:

17 165.85 (4) REQUIRED STANDARDS. (a) *Law enforcement and tribal law*  
18 *enforcement officers.* 1. The board shall establish program outcomes for a  
19 preparatory program of law enforcement and tribal law enforcement officer training,  
20 which shall include not less than 600 hours of training. The board shall establish  
21 criteria for the general program outcomes for the preparatory program. Specifics of  
22 the training curriculum, competencies, student learning and performance  
23 objectives, particular subjects, and the minimum number of hours for each subject  
24 shall be established by written policy of the board. In establishing the preparatory  
25 training program, the board shall give due consideration to recommendations made



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1 by the curriculum advisory committee. The board may amend the criteria and  
2 policies governing the preparatory training program as needed to respond to  
3 technological changes affecting law enforcement, additional recommendations made  
4 by the curriculum advisory committee, or other conditions affecting the public  
5 interest in maintaining training standards of a proper professional character.  
6 Notwithstanding s. 227.10 (1), the criteria and policies established under this  
7 paragraph need not be promulgated as rules under ch. 227.

8 2. Except as provided in subd. 3. or 8., no person may be employed as a law  
9 enforcement or tribal law enforcement officer, except on a temporary or probationary  
10 basis, unless the person has satisfactorily completed the preparatory training  
11 program established under subd. 1. and has been certified by the board as being  
12 qualified to be a law enforcement or tribal law enforcement officer.

13 3. A recruit may exercise law enforcement powers during an original period of  
14 temporary or probationary employment that, except as provided in subd. 6. or as  
15 otherwise authorized by law, may not exceed 12 months from the recruit's first date  
16 of employment.

17 3h. A person may be certified by the board under subd. 2. only if the person has  
18 successfully completed the preparatory program established under subd. 1. within  
19 the person's original period of temporary or probationary employment established  
20 in subd. 3.

21 3m. Except as provided in sub. (3m) (a), and in addition to certification  
22 procedures under this paragraph, the board may certify any person as being a tribal  
23 law enforcement officer on the basis of the person's completion of the training  
24 requirements for law enforcement officer certification prior to May 6, 1994. The

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1 officer must also meet the agreement requirements under sub. (3) (c) prior to  
2 certification as a tribal law enforcement officer.

3 4. Preservice students taking part in the preparatory program of law  
4 enforcement or tribal law enforcement officer training established by the board  
5 under subd. 1. shall be fingerprinted on 2 fingerprint cards, each bearing a complete  
6 set of the student's fingerprints, or by other technologies approved by the department  
7 of justice. The fingerprints shall be submitted to the department of justice for  
8 verification of the identify of the person fingerprinted and to obtain records of his or  
9 her criminal arrests and convictions in Wisconsin. The department of justice shall  
10 provide for the submission of the fingerprint cards or fingerprints by other  
11 technologies to the federal bureau of investigation for the purpose of verifying the  
12 person fingerprinted and obtaining records of his or her criminal arrests and  
13 convictions on file with the federal bureau of investigation.

14 5. No person who has been convicted of any federal felony, any crime of domestic  
15 violence, or of any offense that, if committed in Wisconsin, could be punished as a  
16 felony may take part in the preparatory training program established under subd.  
17 1. unless he or she has been granted an absolute and unconditional pardon for the  
18 crime.

19 6. Upon a showing of good cause by a recruit or a recruit's employer, the board  
20 may extend the recruit's original period of temporary or probationary employment  
21 for a period of time it deems appropriate.

22 7. a. Except as provided in subd. 8., no person may continue as a certified law  
23 enforcement or tribal law enforcement officer unless that person maintains law  
24 enforcement or tribal law enforcement employment and completes annual  
25 recertification training. Any officer who is subject to this subdivision shall complete

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1 at least 24 hours of recertification training each fiscal year beginning in the fiscal  
2 year following the fiscal year in which he or she is certified as a law enforcement or  
3 tribal law enforcement officer by the board.

4 b. Each officer who is subject to this subdivision shall biennially complete at  
5 least 4 hours of training from curricula based upon model standards promulgated by  
6 the board under par. (d). Hours of training completed under this subd. 7. b. shall  
7 count toward the hours of training required under subd. 7. a.

8 c. Each officer who is subject to this subdivision shall annually complete a  
9 handgun qualification course from curricula based upon model standards  
10 established by the board under par. (e). Hours of training completed under this subd.  
11 7. c. shall count toward the hours of training required under subd. 7. a.

12 8. Sheriffs are not required to satisfy the requirements under subd. 2., 3., or  
13 7. as a condition of tenure or continued employment.

14 (b) *Jail officers.* 1. The board shall establish a preparatory program of jail  
15 officer training, which shall include not less than 160 hours of training. The board  
16 shall establish criteria for the general program outcomes for the preparatory  
17 program. Specifics of the training curriculum competencies, student learning and  
18 performance objectives, particular subjects, and the minimum number of hours for  
19 each subject shall be established by written policy of the board. In establishing the  
20 preparatory training program, the board shall give due consideration to  
21 recommendations made by the curriculum advisory committee. The board may  
22 amend the criteria and policies governing the preparatory training program as  
23 needed to respond to technological changes affecting jail administration, additional  
24 recommendations made by the curriculum advisory committee, or other conditions  
25 affecting the public interest in maintaining training standards of a proper

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1 professional character. The board may provide that any part of the training program  
2 under this subdivision and the training program under par. (c) 1. are identical and  
3 count toward either training requirement under this paragraph or par. (c).  
4 Notwithstanding s. 227.10 (1), the criteria and policies established under this  
5 paragraph need not be promulgated as rules under ch. 227.

6 2. Except as provided in subd. 7., no person may be employed as a jail officer,  
7 except on a temporary or probationary basis, unless the person has satisfactorily  
8 completed the preparatory training program established under subd. 1. and has been  
9 certified by the board as being qualified to be a jail officer.

10 3. A recruit may exercise jail officer powers only during an original period of  
11 temporary or probationary employment that, except as provided in subd. 5. or as  
12 otherwise authorized by law, may not exceed 12 months from the recruit's first date  
13 of employment.

14 4. A person may be certified by the board under subd. 2. only if the person has  
15 successfully completed the preparatory program established under subd. 1. within  
16 the person's original period of temporary or probationary employment established  
17 in subd. 3.

18 5. Upon a showing of good cause by a recruit or a recruit's employer, the board  
19 may extend the recruit's original period of temporary or probationary employment  
20 for a period of time it deems appropriate.

21 6. No person may continue as a certified jail officer, unless that person  
22 maintains employment with a jail and completes annual recertification training.  
23 The officer shall complete at least 24 hours of recertification training each fiscal year  
24 beginning in the fiscal year following the fiscal year in which he or she is certified  
25 as a jail officer by the board.

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1           7. Subdivision 2. does not apply to a jail officer serving under permanent  
2           appointment prior to July 2, 1983. The failure of any such officer to fulfill those  
3           requirements does not make that officer ineligible for any promotional examination  
4           for which he or she is otherwise eligible. Any such officer may voluntarily participate  
5           in programs to fulfill those requirements.

6           (c) *Juvenile detention officers.* 1. The board shall establish a preparatory  
7           program of juvenile detention officer training, which shall include not less than 160  
8           hours of training. The board shall establish criteria for the general program  
9           outcomes for the preparatory program. Specifics of the training curriculum,  
10          competencies, student learning and performance objectives, particular subjects, and  
11          the minimum number of hours for each subject shall be established by written policy  
12          of the board. In establishing the preparatory training program, the board shall give  
13          due consideration to recommendations made by the curriculum advisory committee.  
14          The board may amend the criteria and policies governing the preparatory training  
15          program as needed to respond to technological changes affecting juvenile detention  
16          administration, additional recommendations made by the curriculum advisory  
17          committee, or other conditions affecting the public interest in maintaining training  
18          standards of a proper professional character. The board may provide that any part  
19          of the training program under this subdivision and the training program under par.

20          (b) 1. are identical and count toward either training requirement under this  
21          paragraph or par. (b). Notwithstanding s. 227.10 (1), the criteria and policies  
22          established under this paragraph need not be promulgated as rules under ch. 227.

23                2. No person may be employed as a juvenile detention officer, except on a  
24                temporary or probationary basis, unless the person has satisfactorily completed the

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1 program established under subd. 1. and has been certified by the board as being  
2 qualified to be a juvenile detention officer.

3 3. A recruit may exercise juvenile detention officer powers only during an  
4 original period of temporary or probationary employment that, except as provided  
5 in subd. 5. or as otherwise authorized by law, may not exceed 12 months from the  
6 recruit's first date of employment.

7 4. A person may be certified by the board under subd. 2. only if the person has  
8 successfully completed the preparatory program established under subd. 1. within  
9 the person's original period of temporary or probationary employment established  
10 in subd. 3.

11 5. Upon a showing of good cause by a recruit or a recruit's employer, the board  
12 may extend the recruit's original period of temporary or probationary employment  
13 for a period of time it deems appropriate.

14 6. No person may continue as a certified juvenile detention officer, except on  
15 a temporary or probationary basis, unless that person maintains employment with  
16 a juvenile detention facility and completes annual recertification training. The  
17 officer shall complete at least 24 hours of recertification training each fiscal year  
18 beginning in the fiscal year following the fiscal year in which he or she is certified  
19 as a juvenile detention officer by the board.

20 7. Any person employed and certified as a jail officer on July 1, 1994, is certified  
21 as a juvenile detention officer and remains certified as a juvenile detention officer  
22 subject to annual recertification requirements under subd. 6. and the board's  
23 decertification authority under sub. (3) (cm).

24 (d) *Police pursuit.* The board shall promulgate rules that do all of the following:

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1           1. Establish model standards that could be used by any law enforcement agency  
2 to determine whether to initiate or continue police pursuit, to establish police pursuit  
3 driving techniques employed by that agency, and to inform its officers of its written  
4 guidelines provided under s. 346.03 (6). The board shall review and, if considered  
5 appropriate by the board, revise the model standards established under this  
6 subdivision not later than June 30 of each odd-numbered year thereafter. The rules  
7 promulgated under this subdivision are advisory only, are not required to be included  
8 as a law enforcement training standard under this subsection, and are inadmissible  
9 as evidence, except to show compliance with this subdivision.

10           2. Establish the preparatory program and biennial recertification training  
11 curricula required under par. (a) relating to police pursuit standards, guidelines, and  
12 driving techniques.

13           (e) *Firearms.* The board shall establish criteria for firearm training.  
14 Notwithstanding s. 227.10 (1), the criteria need not be promulgated as rules under  
15 ch. 227 and shall do all of the following:

16           1. Establish model standards that could be used by any law enforcement agency  
17 to show handgun proficiency.

18           2. Establish the preparatory program and annual recertification training  
19 curricula required under par. (a) relating to an officer's ability to operate and fire a  
20 handgun.

21           (f) *Local or agency standards.* Nothing in this subsection shall preclude any  
22 law enforcement or tribal law enforcement agency or sheriff from setting recruit  
23 training, employment, and recertification training standards that are higher than  
24 the minimum standards set by the board.

25           **SECTION 20.** 165.85 (4m) of the statutes is repealed.

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1           **SECTION 21.** 165.85 (5) (title) of the statutes is amended to read:

2           165.85 (5) (title) SCHOOLS AND PROGRAMS; GRANTS TRAINING REIMBURSEMENTS.

3           **SECTION 22.** 165.85 (5) (a) of the statutes is repealed and recreated to read:

4           165.85 (5) (a) All training programs and training schools for law enforcement,  
5           tribal law enforcement, jail, and juvenile detention officers and law enforcement  
6           instructors must be authorized and approved by the board as meeting standards  
7           established by the board. The board may authorize and approve a training program  
8           or training school only if it is operated by an agency of the state or of a political  
9           subdivision of the state. The authority granted in this paragraph does not authorize  
10          the board to select a site for a state police, jail, or juvenile detention officer academy  
11          or to expend funds thereon.

12          **SECTION 23.** 165.85 (5) (b) of the statutes is amended to read:

13          165.85 (5) (b) The board shall authorize the reimbursement to each political  
14          subdivision of approved expenses incurred by ~~officers~~ recruits who satisfactorily  
15          complete training at schools certified by the board. Reimbursement of these  
16          expenses for law enforcement officer, jail officer and juvenile detention officer  
17          preparatory training shall be for board approved tuition, living, and travel expenses  
18          ~~for the first 400 hours of law enforcement preparatory training and for the first 120~~  
19          ~~hours of jail or juvenile detention officer preparatory training.~~ Reimbursement of  
20          approved expenses for completion of annual recertification training under sub. (4)  
21          ~~(bn)~~ shall include at least \$160 per officer thereafter. Funds may also be distributed  
22          for attendance at other training programs and courses or for training services on a  
23          priority basis to be decided by the department of justice.

24          **SECTION 24.** 165.86 (1) (c) of the statutes is amended to read:



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1           165.86 (1) (c) Identify state agencies and political subdivisions that employ law  
2 enforcement officers in the state and notify the appropriate officials of the model law  
3 enforcement pursuit standards established by the board under s. 165.85 (4) ~~(em) 2.~~  
4 ~~a.~~ (d).

5           **SECTION 25.** 165.92 (2) (a) of the statutes is amended to read:

6           165.92 (2) (a) A tribal law enforcement officer who meets the requirements of  
7 s. 165.85 (4) ~~(b) 1., (bn) 1. and (e) (a) 1., 2., and 7.~~ shall have the same powers to enforce  
8 the laws of the state and to make arrests for violations of such laws that sheriffs have,  
9 including powers granted to sheriffs under ss. 59.27 and 59.28 and under the  
10 common law, and shall perform the duties accepted under s. 165.85 (3) (c).

11           **SECTION 26.** 175.41 (3) (c) of the statutes is amended to read:

12           175.41 (3) (c) The commission warden meets the requirements of s. 165.85 (4)  
13 ~~(b) 1., (bn) 1., and (e) (a) 1., 2., and 7.~~ and has agreed to accept the duties of a law  
14 enforcement officer under the laws of this state.

15           **SECTION 27.** 895.46 (1) (b) 1. of the statutes is amended to read:

16           895.46 (1) (b) 1. Satisfactorily completed or are currently enrolled in the  
17 preparatory program of law enforcement training under s. 165.85 (4) ~~(b) (a) 1.~~ and,  
18 if applicable, the recertification programs under s. 165.85 (4) ~~(bn) 1.~~ (a) 7., or have  
19 provided evidence of equivalent law enforcement training and experience as  
20 determined by the law enforcement standards board; or

21           **SECTION 28.** 939.22 (37) of the statutes is amended to read:

22           939.22 (37) "State-certified commission warden" means a commission warden  
23 who meets the requirements of s. 165.85 (4) ~~(b) 1., (bn) 1., and (e) (a) 1., 2., and 7.~~ and

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1 has agreed to accept the duties of a law enforcement officer under the laws of this  
2 state.

3 (END)