2009 DRAFTING REQUEST

Bill

Received: **04/01/2010**

Received By: **phurley**

Wanted: **As time permits**

Companion to LRB:

For: **Lena Taylor (608) 266-5810**

By/Representing:

May Contact:

Drafter: **phurley**

Subject: **Justice - criminal**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Taylor@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Law enforcement standards

Instructions:

companion to 09-4496

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	phurley 04/01/2010	kfollett 04/06/2010		_____ _____			S&L
/1			jfrantze 04/07/2010	_____ _____	lparisi 04/07/2010	mbarman 04/07/2010	

FE Sent For: "/1" @ intro. 4/8/10

<END>

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Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	phurley	4/6	4/6	4/7			

FE Sent For:

<END>

Hurley, Peggy

From: Hilton, Stephanie
Sent: Wednesday, March 31, 2010 10:40 AM
To: Hurley, Peggy
Cc: Peterson, Eric
Subject: LRB 4496/2

Hi Peggy,
Sen. Taylor is going to be the lead author of LRB 4496/2, and would like a companion bill drafted. I have copied Eric, her Chief of Staff, on this email.
Thanks!
-Stephanie

Stephanie Hilton
Legislative Assistant
Office of Rep. Ann Hraychuck
608-267-2365 or 1-888-529-0028
Room 6 North State Capitol

4619/1

State of Wisconsin
2009 – 2010 LEGISLATURE

LRB-~~4490/2~~ A
PJH:kjf:md

rmr

2009 BILL

Regen

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

Analysis by the Legislative Reference Bureau

Under current law, the Law Enforcement Standards Board (the 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: the standards for law enforcement officers and tribal law enforcement officers; the standards for jail officers; and the standards for juvenile detention officers. Under the bill, constables whose town boards require them to undergo training are subject 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 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 18 months, except that the board may extend that period if the 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 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 include, in different measure for each category of officer, training in cultural differences, mental health and physical health conditions that can affect behavior, and arrest and pursuit procedures. 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.

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) 1.~~ (a) 1. and has complied with
6 any applicable requirements under s. 165.85 (4) ~~(bn) 1.~~ (a) 6. while on duty and in
7 uniform or on duty and upon display of proper credentials may assist another law
8 enforcement agency as defined under s. 165.83 (1) (b) including making an arrest at
9 the request of the agency, may arrest a person pursuant to an arrest warrant
10 concerning the commission of a felony or may arrest a person who has committed a

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

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

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

SECTION 3. 110.07 (1) (a) (intro.) of the statutes is amended to read:

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

SECTION 4. 110.07 (6) of the statutes is amended to read:

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

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

165.85 **(1)** FINDINGS AND POLICY. The legislature finds that the administration of criminal justice is of statewide concern, and that law enforcement work is of vital importance to the health, safety, and welfare of the people of this state and is of such a nature as to require training, education, and the establishment of standards of a proper professional character. The public interest requires that these standards be established and that this training and education be made available to persons who seek to become law enforcement, tribal law enforcement, jail or juvenile detention officers, persons who are serving as these officers in a temporary, specialized, or probationary capacity, and persons already in regular service.

SECTION 6. 165.85 (2) (bx) of the statutes is created to read:

165.85 **(2)** (bx) "Law enforcement instructor" means an instructor who is required to deliver board–approved program outcomes, course competencies, performance standards, and learning objectives in training programs and training schools for law enforcement officers, tribal law enforcement officers, jail officers, and juvenile detention officers.

SECTION 7. 165.85 (2) (cm) of the statutes is created to read:

165.85 **(2)** (cm) "Police pursuit" has the meaning given in s. 85.07 (8) (a).

SECTION 8. 165.85 (2) (d) of the statutes is amended to read:

165.85 **(2)** (d) "Political subdivision" means counties, cities, villages, towns, town sanitary districts ~~and~~, public inland lake protection and rehabilitation districts, and technical college districts.

SECTION 9. 165.85 (2) (e) of the statutes is created to read:

165.85 **(2)** (e) "Preservice student" means any person who meets the minimum recruitment qualifications set by the board and who enrolls in preparatory training prior to employment as a law enforcement officer, tribal law enforcement officer, jail officer, or juvenile detention officer.

SECTION 10. 165.85 (2) (f) of the statutes is created to read:

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

SECTION 11. 165.85 (3) (d) of the statutes is amended to read:

165.85 **(3)** (d) Establish minimum curriculum requirements for preparatory courses and programs, and recommend minimum curriculum requirements for recertification and advanced courses and programs, in schools approved by the board and operated by or for this state or any political subdivision of the state for the specific purpose of training law enforcement recruits, law enforcement officers, tribal law enforcement recruits, tribal law enforcement officers, jail officer recruits, jail officers, juvenile detention officer recruits, or juvenile detention officers in areas of knowledge and ability necessary to the attainment of effective performance as an officer, and ranging from subjects such as first aid, patrolling, statutory authority, techniques of arrest, protocols for official action by off–duty officers, firearms, and recording custodial interrogations to subjects designed to provide a better

1 understanding of ever–increasing complex problems in law enforcement such as
2 human relations, civil rights, constitutional law, and supervision, control, and
3 maintenance of a jail or juvenile detention facility. The board shall appoint a
4 13–member ~~advisory~~ curriculum advisory committee consisting of 6 chiefs of police
5 and 6 sheriffs to be appointed on a geographic basis ~~of not more than one chief of~~
6 ~~police and one sheriff from any one of the 8 state administrative districts~~ together
7 with the director of training of the Wisconsin state patrol. This committee shall
8 advise the board in the establishment of the curriculum requirements.

9 **SECTION 12.** 165.85 (4) of the statutes, as affected by 2009 Wisconsin Act 28,
10 is repealed and recreated to read:

11 165.85 **(4)** REQUIRED STANDARDS. (a) *Law enforcement and tribal law*
12 *enforcement officers.* 1. The board shall by rule establish program outcomes for a
13 preparatory program of law enforcement and tribal law enforcement officer training.
14 Specifics of the training curriculum, including the total number of hours,
15 competencies, student learning and performance objectives, particular subjects, and
16 the minimum number of hours for each subject may be established by written policy
17 of the board. In establishing the preparatory training program, the board shall give
18 due consideration to recommendations made by the curriculum advisory committee.
19 The board may amend the rules and policies governing the preparatory training
20 program as needed to respond to technological changes affecting law enforcement,
21 additional recommendations made by the curriculum advisory committee, or other
22 conditions affecting the public interest in maintaining training standards of a proper
23 professional character. The training program shall include all of the following:

1 a. Training to enable the person being trained to deal effectively with domestic
2 abuse incidents, including training that addresses the emotional and psychological
3 effect that domestic abuse has on victims.

4 b. Training on emergency detention standards and procedures under s. 51.15,
5 emergency protective placement standards and procedures under s. 55.135, and
6 information on mental health and developmental disabilities agencies and other
7 resources that may be available to assist the officer in interpreting the emergency
8 detention and emergency protective placement standards, making emergency
9 detentions and emergency protective placements, and locating appropriate facilities
10 for the emergency detentions and emergency protective placements of persons.

11 c. Training on mental health and medically significant behavior, including at
12 least one hour of instruction on recognizing the symptoms of Alzheimer's disease or
13 other related dementias and interacting with and assisting persons who have
14 Alzheimer's disease or other related dementias.

15 d. Training on police pursuit standards, guidelines, and driving techniques
16 established under par. (d).

17 e. Training concerning cultural diversity, including sensitivity toward racial
18 and ethnic differences. The training shall be designed to prevent the use of race,
19 racial profiling, racial stereotyping, or other race–based discrimination or selection
20 as a basis for detaining, searching, or arresting a person or for otherwise treating a
21 person differently from persons of other races and shall emphasize the fact that the
22 primary purposes of enforcement of traffic regulations are safety and equal and
23 uniform enforcement under the law.

24 2. Except as provided in subd. 7., no person may be employed as a law
25 enforcement or tribal law enforcement officer, except on a temporary or probationary

1 basis, unless the person satisfactorily completes the program established under
2 subd. 1. A recruit who has not satisfactorily completed the program established
3 under subd. 1. may perform the duties of a law enforcement or tribal law enforcement
4 officer only under the oversight of a certified law enforcement or tribal law
5 enforcement officer. Upon successful completion of the program established under
6 subd. 1., a recruit may be certified by the board as a law enforcement or tribal law
7 enforcement officer. In order to be eligible for certification, a recruit must
8 successfully complete the program established under subd. 1. within the original
9 period of his or her temporary or probationary employment that, except as provided
10 in subd. 5. or as otherwise authorized by law, may not exceed 18 months from his or
11 her date of hire. Except as provided in sub. (3m) (a), and in addition to certification
12 procedures under this paragraph, the board may certify any person as being a tribal
13 law enforcement officer on the basis of the person's completion of the training
14 requirements for law enforcement officer certification prior to May 6, 1994. The
15 officer must also meet the agreement requirements under sub. (3) (c) prior to
16 certification as a tribal law enforcement officer.

17 3. Preservice students taking part in the preparatory program of law
18 enforcement or tribal law enforcement officer training established by the board
19 under subd. 1. shall submit fingerprints to the department of justice. The
20 department of justice shall verify the identity of the person fingerprinted and obtain
21 records of his or her criminal arrests and convictions in Wisconsin. The department
22 of justice shall submit each set of fingerprints to the federal bureau of investigation
23 for the purpose of verifying the person fingerprinted and obtaining records of his or
24 her criminal arrests and convictions on file with the federal bureau of investigation.

1 4. No person who has been convicted of any federal felony, any crime of domestic
2 violence, or of any offense that, if committed in Wisconsin, could be punished as a
3 felony may take part in preparatory training unless he or she has been granted an
4 absolute and conditional pardon for the crime.

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

8 6. a. Except as provided in subd. 7., no person may continue as a law
9 enforcement or tribal law enforcement officer, except on a temporary or probationary
10 basis, unless that person completes annual recertification training. Any officer
11 elected by popular vote who is also a certified officer must complete annual
12 recertification training to maintain certification. Any officer who is subject to this
13 subdivision shall complete at least 24 hours each fiscal year beginning in the fiscal
14 year following the fiscal year in which he or she is certified as a law enforcement or
15 tribal law enforcement officer by the board.

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

20 7. Law enforcement and tribal law enforcement officers who are elected by
21 popular vote are not required to satisfy the requirements under subd. 2. or 6. as a
22 condition of tenure or continued employment. The failure of any such law
23 enforcement or tribal law enforcement officer to fulfill the requirements of subd. 2.
24 or 6. does not make that officer ineligible for any promotional examination for which

1 he or she is otherwise eligible. Any law enforcement or tribal law enforcement officer
2 may voluntarily participate in any program established under this paragraph.
3 (b) *Jail officers.* 1. The board shall by rule establish program outcomes for a
4 preparatory program of jail officer training. Specifics of the training curriculum,
5 including the total number of hours, competencies, student learning and
6 performance objectives, particular subjects, and the minimum number of hours for
7 each subject may be established by written policy of the board. In establishing the
8 preparatory training program, the board shall give due consideration to
9 recommendations made by the curriculum advisory committee. The board may
10 amend the rules and policies governing the preparatory training program as needed
11 to respond to technological changes affecting jail administration, additional
12 recommendations made by the curriculum advisory committee, or other conditions
13 affecting the public interest in maintaining training standards of a proper
14 professional character. The board may provide, by rule, that any part of the training
15 program under this subdivision and the training program under par. (c) 1. are
16 identical and count toward either training requirement under this paragraph or par.
17 (c). The training program under this subdivision shall include training on mental
18 health and medically significant behavior, including at least 16 hours on methods of
19 supervision of special needs inmates, including inmates who may be emotionally
20 distressed, mentally ill, suicidal, developmentally disabled, or alcohol or drug
21 abusers.
22 2. Except as provided in subd. 5., no person may be employed as a jail officer,
23 except on a temporary or probationary basis, unless the person satisfactorily
24 completes the program established under subd. 1. Upon successful completion of the
25 program established under subd. 1., a recruit may be certified by the board as a jail

1 officer. In order to be eligible for certification under this subdivision, a recruit must
2 successfully complete the program established under subd. 1. within the original
3 period of his or her temporary or probationary employment that, except as provided
4 in subd. 3. or as otherwise authorized by law, may not exceed 18 months from his or
5 her date of hire.

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

9 4. No person may continue as a jail officer, except on a temporary or
10 probationary basis, unless that person completes annual recertification training.
11 The officer shall complete at least 24 hours of recertification training each fiscal year
12 beginning in the fiscal year following the fiscal year in which he or she is certified
13 as a jail officer by the board.

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

19 (c) *Juvenile detention officers.* 1. The board shall by rule establish program
20 outcomes for a preparatory program of juvenile detention officer training. Specifics
21 of the training curriculum, including the total number of hours, competencies,
22 student learning and performance objectives, particular subjects, and the minimum
23 number of hours for each subject may be established by written policy of the board.
24 In establishing the preparatory training program, the board shall give due
25 consideration to recommendations made by the curriculum advisory committee. The

1 board may amend the rules and policies governing the preparatory training program
2 as needed to respond to technological changes affecting juvenile detention
3 administration, additional recommendations made by the curriculum advisory
4 committee, or other conditions affecting the public interest in maintaining training
5 standards of a proper professional character. The board may provide, by rule, that
6 any part of the training program under this subdivision and the training program
7 under par. (b) 1. are identical and count toward either training requirement under
8 this paragraph or par. (b). Any training program established under this subdivision
9 shall include training on mental health and medically significant behavior, including
10 at least 16 hours on methods of supervision of special needs inmates, including
11 inmates who may be emotionally distressed, mentally ill, suicidal, developmentally
12 disabled, or alcohol or drug abusers.

13 2. No person may be employed as a juvenile detention officer, except on a
14 temporary or probationary basis, unless the person satisfactorily completes the
15 program established under subd. 1. Upon successful completion of the program
16 established under subd. 1., a recruit may be certified by the board as a juvenile
17 detention officer. In order to be eligible for certification under this subdivision, a
18 recruit must successfully complete the program established under subd. 1. within
19 the original period of his or her temporary or probationary employment that, except
20 as provided in subd. 3. or as otherwise authorized by law, may not exceed 18 months
21 from his or her date of hire.

22 3. Upon a showing of good cause by a recruit or a recruit's employer, the board
23 may extend the recruit's original period of temporary or probationary employment
24 for a period of time it deems appropriate.

1 4. No person may continue as a juvenile detention officer, except on a temporary
2 or probationary basis, unless that person completes annual recertification training.
3 The officer shall complete at least 24 hours each fiscal year beginning in the fiscal
4 year following the fiscal year in which he or she is certified as a juvenile detention
5 officer by the board.

6 5. Any person employed and certified as a jail officer on July 1, 1994, is certified
7 as a juvenile detention officer and remains certified as a juvenile detention officer
8 subject to annual recertification requirements under subd. 4. and the board's
9 decertification authority under sub. (3) (cm).

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

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

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

23 (e) *Equivalent standards.* Except as provided in sub. (3m) (a), the board shall
24 certify a recruit who presents evidence that he or she has satisfied, to a degree

established by the board, a training program that is at least equivalent to a training program established under par. (a), (b), or (c).

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

SECTION 13. 165.85 (4m) of the statutes is amended to read:

165.85 **(4m)** TRAINING FOR CONSTABLES. ~~The board shall establish a separate training program for those constables who are not required to complete training under sub. (4).~~ A constable required to complete training under s. 60.22 (4) shall complete the same training as provided in sub. (4) (a) 1. for law enforcement and tribal law enforcement officers. Except as provided in s. 60.22 (4), a constable may voluntarily participate in the program under this subsection. Expenses incurred for ~~this~~ the preparatory training program are subject to reimbursement under sub. (5).

SECTION 14. 165.85 (5) (title) of the statutes is amended to read:

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

SECTION 15. 165.85 (5) (a) of the statutes is repealed and recreated to read:

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

1 **SECTION 16.** 165.85 (5) (b) of the statutes is amended to read:

2 165.85 **(5)** (b) The board shall authorize the reimbursement to each political
3 subdivision of approved expenses incurred by officers who satisfactorily complete
4 training at schools certified by the board. Reimbursement of these expenses for law
5 enforcement officer, jail officer and juvenile detention officer preparatory training
6 shall be for board approved tuition, living, and travel expenses ~~for the first 400 hours~~
7 ~~of law enforcement preparatory training and for the first 120 hours of jail or juvenile~~
8 ~~detention officer preparatory training~~. Reimbursement of approved expenses for
9 completion of annual recertification training under sub. (4) ~~(bn)~~ shall include at least
10 $160 per officer thereafter. Funds may also be distributed for attendance at other
11 training programs and courses or for training services on a priority basis to be
12 decided by the department of justice.

13 **SECTION 17.** 165.86 (1) (c) of the statutes is amended to read:

14 165.86 **(1)** (c) Identify state agencies and political subdivisions that employ law
15 enforcement officers in the state and notify the appropriate officials of the model law
16 enforcement pursuit standards established by the board under s. 165.85 (4) ~~(cm) 2.~~
17 ~~a.~~ (d).

18 **SECTION 18.** 165.92 (2) (a) of the statutes is amended to read:

19 165.92 **(2)** (a) A tribal law enforcement officer who meets the requirements of
20 s. 165.85 (4) ~~(b) 1., (bn) 1. and (c)~~ (a) 1. and 6. shall have the same powers to enforce
21 the laws of the state and to make arrests for violations of such laws that sheriffs have,
22 including powers granted to sheriffs under ss. 59.27 and 59.28 and under the
23 common law, and shall perform the duties accepted under s. 165.85 (3) (c).

24 **SECTION 19.** 175.41 (3) (c) of the statutes is amended to read:

175.41 **(3)** (c) The commission warden meets the requirements of s. 165.85 (4) ~~(b) 1., (bn) 1., and (c)~~ (a) 1. and 6. and has agreed to accept the duties of a law enforcement officer under the laws of this state.

SECTION 20. 895.46 (1) (b) 1. of the statutes is amended to read:

895.46 **(1)** (b) 1. Satisfactorily completed or are currently enrolled in the preparatory program of law enforcement training under s. 165.85 (4) ~~(b) 1.~~ (a) 1. and, if applicable, the recertification programs under s. 165.85 (4) ~~(bn) 1.~~ (a) 6., or have provided evidence of equivalent law enforcement training and experience as determined by the law enforcement standards board; or

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

939.22 **(37)** "State–certified commission warden" means a commission warden who meets the requirements of s. 165.85 (4) ~~(b) 1., (bn) 1., and (c)~~ (a) 1. and 6. and has agreed to accept the duties of a law enforcement officer under the laws of this state.

(END)

Barman, Mike

From: Peterson, Eric
Sent: Wednesday, April 07, 2010 10:21 AM
To: LRB.Legal
Subject: Draft Review: LRB 09-4619/1 Topic: Law enforcement standards

Rush

Please Jacket LRB 09-4619/1 for the SENATE.