ACT 271 (HB 473)   **2017 Regular Session**   **Gaines**

Existing law establishes the Council on Peace Officer Standards and Training and authorizes the council to develop curriculum requirements for training of peace officers and accredit law enforcement training centers. Existing law further provides for the training requirements for peace officers.

New law provides that annual training required by the council to maintain P.O.S.T. certification may be made available online and at no cost to the peace officer. New law further requires that when there is a lapse of employment, a peace officer shall be required to complete the annual training to maintain P.O.S.T. certification for the year in which the peace officer resumes employment.

Existing law provides for the removal of P.O.S.T. certification of any full-time, part-time, or reserve peace officer upon a conviction of malfeasance in office.

New law retains existing law and adds the conviction of any offense that results in the restriction of a peace officer's right to bear arms as grounds for revocation of P.O.S.T. certification.

New law allows the council to conduct a revocation hearing to revoke P.O.S.T. certification when any of the following occur:

(1)   The officer has been involuntarily terminated by a law enforcement agency for disciplinary reasons involving an adjudication of civil rights violations and has exhausted all administrative remedies.

(2)   The officer has been convicted of a misdemeanor involving the crime of domestic abuse battery or a felony.

(3)   The officer has failed to complete additional training requirements as required and prescribed by the council.

(4)   The officer voluntarily surrenders his P.O.S.T. certification.

(5)   A judicial disposition in a criminal case results in revocation of certification.

New law requires the council to promulgate rules governing revocation hearings in accordance with the provisions of the Administrative Procedure Act.

Effective upon signature of governor (June 16, 2017).

(Amends R.S. 40:2405(H)(2)(a), (I)(2), and (J); Adds R.S. 40:2405(H)(2)(c))