HB410

148821-3

By Representative Ford

RFD: Public Safety and Homeland Security

First Read: 07-MAR-13
SYNOPSIS: Under existing law, only those officers who are fully certified by the Alabama Peace Officers' Standards and Training Commission may serve as law enforcement officers in schools.

This bill would allow retired police officers or other law enforcement officers who resigned in good standing to serve on a part-time basis as reserve school resource officers in schools.

This bill would require any person serving as a part-time reserve school resource officer to maintain firearms qualifications and annual use-of-force training but would not require physical fitness standards or other continuing education requirements.

A BILL
TO BE ENTITLED
AN ACT
Relating to school safety; to allow retired law enforcement officers to serve on a part-time basis as reserve school resource officers in schools; and to require part-time reserve school resource officers to be certified by the Alabama Peace Officers' Standards and Training Commission but to waive certification and recertification requirements relating to physical qualifications and continuing education other than firearms and use-of-force training.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) A person who retired from the position of municipal police officer, deputy sheriff, or other position that required certification by the Alabama Peace Officers' Standards and Training Commission (the commission) and who resigned in good standing may be employed as a part-time reserve school resource officer by any county, municipality, or local school district in the state in accordance with this section.

(b) As a part-time employee, a reserve school resource officer shall not be eligible for health insurance or retirement benefits beyond those benefits the person is already receiving through his or her former full-time employment. Even though part-time, a part-time reserve school resource officer may be required to work a schedule that coincides with a full school day schedule for the period when school is in regular operation and as otherwise needed.

(c) A part-time reserve school resource officer shall be certified by the commission. However, a part-time
reserve school resource officer shall not be required to meet physical examination requirements or continuing education requirements other than those relating to firearms and use-of-force training.

(d) Part-time reserve school resource officers shall have all rights, privileges, and powers of a law enforcement officer certified by the commission under the laws of the state.

(e) A chief of police or sheriff and members of his or her force, as applicable, shall have immunity from civil liability for actions arising from his or her position as a part-time reserve school resource officer.

(f) Funding for reserve school resource officers may come from local, state, or federal budgets or from any board of education, or a combination thereof. The rate of pay for a reserve school resource officer shall not be tied to any existing pay scale used by the hiring authority but shall instead be at the discretion of the hiring authority.

(g) This section shall not apply to a full-time law enforcement officer serving in the capacity as a school resource officer on a regular basis as of the effective date of this act and employed by a law enforcement agency. A full-time law enforcement officer working in this capacity may continue his or her full-time status at the discretion of the chief of police or sheriff, as appropriate.
Section 2. This act shall become effective immediately following its passage and approval by the Governor, or its otherwise becoming law.