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HOUSE BILL NO. 77

INTRODUCED BY S. GALLOWAY

BY REQUEST OF THE PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO PUBLIC SAFETY OFFICER APPOINTING AUTHORITIES; ~~AND~~ AMENDING SECTION 44-4-404, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 44-4-404, MCA, is amended to read:

**"44-4-404. Appointing authority responsible for applying standards.** (1) It is the responsibility of a public safety officer's appointing authority to apply the employment standards and training criteria established by the council pursuant to this part, including but not limited to requiring the successful completion of minimum training standards within 1 year of the public safety officer's hire date and terminating the employment of a public safety officer for failure to meet the minimum standards established by the council pursuant to this part.

(2) (a) A public safety officer's appointing authority may apply to the council on behalf of the public safety officer for an extension to complete the minimum training standards. The extension may not exceed 180 days. The application must explain the circumstances that make the extension necessary.

(b) When granting an extension, the council may consider the following factors:

(i) illness of the public safety officer or a member of the public safety officer's immediate family;

(ii) lack of reasonable access to the basic equivalency course;

(iii) an unreasonable shortage of personnel in the public safety officer's department; and

(iv) any other factors the council considers relevant."

**NEW SECTION. Section 2. Effective date.** [This act] is effective on passage and approval.

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