

1 HB209
2 197336-1
3 By Representative Pettus
4 RFD: Public Safety and Homeland Security
5 First Read: 19-MAR-19

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8 SYNOPSIS: Under existing law, a local board of
9 education may hire persons as school security
10 personnel and may contract with a local chief of
11 police or sheriff to employ school resource
12 officers. Also under existing law, a local school
13 board of education may authorize school security
14 personnel and school resource officers to carry a
15 firearm while on duty if they satisfy certain
16 qualifications.

17 This bill would provide that if a local
18 board of education hires a retired law enforcement
19 officer to serve as school security personnel, the
20 board may authorize the retired law enforcement
21 officer to carry a firearm on duty if he or she
22 meets the following requirements: (1) is retired in
23 good standing from a federal, state, or local law
24 enforcement agency with at least 25 years of law
25 enforcement experience; (2) has successfully
26 completed active shooter training approved by the
27 Alabama State Law Enforcement Agency; (3) annually

1 completes and passes the firearm requalification
2 required of law enforcement officers by the Alabama
3 Peace Officers' Standards and Training Commission;
4 and (4) is trained in the appropriate use of a
5 non-lethal weapon and while on duty carries that
6 weapon.

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8 A BILL
9 TO BE ENTITLED
10 AN ACT

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12 Relating to education; to amend Section 16-1-44.1,
13 Code of Alabama 1975, to further provide for the
14 qualifications of school resource officers.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

16 Section 1. Section 16-1-44.1, Code of Alabama 1975,
17 is amended to read as follows:

18 "§16-1-44.1.

19 "(a) As used in this section, the following terms
20 have the following meanings:

21 "(1) RETIRED LAW ENFORCEMENT OFFICER. A person who
22 was a law enforcement officer and retired in good standing
23 from a federal, state, or local law enforcement agency with at
24 least 25 years of law enforcement experience.

25 "(2) SCHOOL RESOURCE OFFICER. A person who is
26 certified by the Alabama Peace Officers' Standards and
27 Training Commission as a law enforcement officer, whose

1 certification is in good standing, and who has the power of
2 arrest.

3 ~~"(a)~~ (b) A local board of education may employ
4 persons as school security personnel or contract with a local
5 chief of police or sheriff to employ school resource officers.
6 A local board of education may allow any person employed by
7 the board as school security personnel or as a school resource
8 officer to carry a firearm while on duty if the employee
9 satisfies all of the following qualifications:

10 "(1) He or she is certified by the Alabama Peace
11 Officers' Standards and Training Commission as a law
12 enforcement officer whose certification is in good standing or
13 he or she is a retired law enforcement officer.

14 "(2) He or she ~~and who~~ has successfully completed
15 active shooter training approved by the Alabama State Law
16 Enforcement Agency.

17 ~~"(2)~~ (3) He or she annually completes and passes the
18 firearm requalification required of law enforcement officers
19 by the Alabama Peace Officers' Standards and Training
20 Commission.

21 ~~"(3)~~ (4) While on duty, he He or she ~~must carry~~
22 carries a non-lethal weapon and ~~must be~~ is trained in the
23 appropriate use of that non-lethal weapon.

24 "(c) Nothing in this section confers upon any
25 individual the power of arrest.

26 ~~"(b)~~ (d) The State Department of Education shall
27 promulgate any necessary rules to provide for the

1 implementation of this section including, but not limited to,
2 rules providing additional qualifications for employment as
3 school security personnel or school resource officers."

4 Section 2. This act shall become effective on the
5 first day of the third month following its passage and
6 approval by the Governor, or its otherwise becoming law.