

1 SB67
2 202605-1
3 By Senator Shelnutt
4 RFD: Governmental Affairs
5 First Read: 02-FEB-21
6 PFD: 01/25/2021

SYNOPSIS: Under existing law, applicants for appointment as law enforcement officers are required to be graduates of State Department of Education accredited or approved high schools or to possess a high school equivalency certificate issued by general educational development.

This bill would include graduation from a nonpublic education program as qualifying education for applying to become a law enforcement officer in the state.

A BILL
TO BE ENTITLED
AN ACT

To amend Section 36-21-46, Code of Alabama 1975, relating to the Peace Officers' Standards and Training Commission; to provide that graduation from a nonpublic education program satisfies the education component for an applicant to become a law enforcement officer in the state.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. Section 36-21-46 of the Code of Alabama
3 1975, is amended to read as follows:

4 "§36-21-46.

5 "(a) The standards provided in this subsection shall
6 apply to applicants and appointees as law enforcement
7 officers. No city, town, county, sheriff, constable, or other
8 employer shall employ any applicant unless the person submits
9 to the appointing authority an application for employment
10 verified by affidavit of the applicant and showing compliance
11 with the following qualifications:

12 "(1) AGE. The applicant shall be not less than 19
13 years of age at the time of appointment.

14 "(2) EDUCATION. The applicant shall be a graduate of
15 a high school accredited with or approved by the State
16 Department of Education ~~or,~~ shall be the holder of a
17 certificate of high school equivalency issued by general
18 educational development, or shall be a graduate of nonpublic
19 education including, but not limited to, a private, church,
20 parochial, or religious school or a home-school program.

21 "(3) TRAINING. Prior to certification, the applicant
22 shall complete the required course of training established by
23 the commission. An applicant may be provisionally appointed
24 for a period of six months. No individual may be employed for
25 an additional period until that individual is certified by the
26 commission.

1 "(4) PHYSICAL QUALIFICATIONS. The applicant shall be
2 certified by a licensed physician designated as satisfactory
3 by the appointing authority as in good health and physically
4 fit for the performance of the duties of a law enforcement
5 officer.

6 "(5) CHARACTER. The applicant shall be a person of
7 good moral character and reputation. In making this
8 determination, the commission shall consider convictions for
9 misdemeanors and other factors set forth in its duly adopted
10 and promulgated rules. No person who has been convicted of a
11 felony shall be certified, employed, appointed, or approved by
12 the commission as a law enforcement officer.

13 "(b) The foregoing requirements shall not apply to
14 any person who is presently employed as a law enforcement
15 officer in the state and who continues to be so employed when
16 he or she makes application for or is employed as a law
17 enforcement officer in a different capacity or for a different
18 employer."

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