

**As Introduced**

**126th General Assembly  
Regular Session  
2005-2006**

**S. B. No. 281**

**Senators Stivers, Padgett, Mumper, Goodman, Austria, Spada**

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**A BILL**

To amend sections 109.761 and 109.802, to enact new 1  
section 109.803, and to repeal section 109.803 of 2  
the Revised Code to mandate up to 24 hours a year 3  
of continuing professional training for peace 4  
officers and state highway patrol troopers and to 5  
establish the method by which the Attorney General 6  
reimburses the training costs. 7

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 109.761 and 109.802 be amended and 8  
new section 109.803 of the Revised Code be enacted to read as 9  
follows: 10

**Sec. 109.761.** (A)(1) Each agency or entity that appoints or 11  
employs one or more peace officers shall report to the Ohio peace 12  
officer training commission all of the following that occur on or 13  
after ~~the effective date of this section~~ February 20, 2002: 14

(a) The appointment or employment of any person to serve the 15  
agency or entity as a peace officer in any full-time, part-time, 16  
reserve, auxiliary, or other capacity; 17

(b) The termination, resignation, felony conviction, or death 18  
of any person who has been appointed to or employed by the agency 19  
or entity as a peace officer in any full-time, part-time, reserve, 20

auxiliary, or other capacity and is serving the agency or entity 21  
in any of those peace officer capacities. 22

(2) An agency or entity shall make each report required by 23  
this division not later than ten days after the occurrence of the 24  
event being reported. The agency or entity shall make the report 25  
in the manner and format prescribed by the executive director of 26  
the Ohio peace officer training commission. 27

(B) Each agency or entity that appoints or employs one or 28  
more peace officers or state highway patrol troopers shall 29  
annually provide to the Ohio peace officer training commission a 30  
roster of all persons who have been appointed to or employed by 31  
the agency or entity as peace officers or troopers in any 32  
full-time, part-time, reserve, auxiliary, or other capacity and 33  
are serving, or during the year covered by the report have served, 34  
the agency or entity in any of those peace officer or trooper 35  
capacities. The agency or entity shall provide the roster in the 36  
manner and format, and by the date, prescribed by the executive 37  
director of the Ohio peace officer training commission. 38

(C) The Ohio peace officer training commission shall 39  
prescribe the manner and format of making reports under division 40  
(A) of this section and providing annual rosters under division 41  
(B) of this section and shall prescribe the date by which the 42  
annual rosters must be provided. 43

**Sec. 109.802.** (A) There is hereby created in the state 44  
treasury the law enforcement assistance fund. The fund shall be 45  
used to pay reimbursements for ~~law enforcement~~ continuing 46  
professional training for paid peace officers as provided in this 47  
section and section 109.803 of the Revised Code, the compensation 48  
of any employees of the attorney general required to administer 49  
those sections, and any other administrative costs incurred by the 50  
attorney general to administer those sections. 51

(B) The attorney general shall adopt rules in accordance with 52  
Chapter 119. of the Revised Code establishing application 53  
procedures, standards, and guidelines, and prescribing an 54  
application form, for the reimbursement of ~~sheriffs, constables,~~ 55  
~~chiefs of police of organized municipal and township police~~ 56  
~~departments, chiefs of police of township police district police~~ 57  
~~forces, and chiefs of police of university or college police~~ 58  
~~departments for the costs of peace officer basic training~~ 59  
~~programs, advanced peace officer training programs, basic jailer~~ 60  
~~training programs, and firearms requalification programs~~ 61  
~~successfully completed by them or the peace officers under their~~ 62  
~~supervision, for the reimbursement of the superintendent of the~~ 63  
~~state highway patrol and the director of natural resources for the~~ 64  
~~costs of peace officer basic training programs, advanced peace~~ 65  
~~officer training programs, and basic jailer training programs~~ 66  
~~successfully completed by them or the peace officers under their~~ 67  
~~supervision, and for the reimbursement of the chief of the adult~~ 68  
~~parole authority and the chief probation officer of a county~~ 69  
~~probation department, multicounty probation department, and~~ 70  
~~municipal court department of probation for the costs of basic~~ 71  
~~firearm training programs and firearms requalification programs~~ 72  
~~successfully completed by them or by parole or probation officers~~ 73  
~~under their supervision appointing authorities for the cost of~~ 74  
~~continuing professional training for paid peace officers. The~~ 75  
rules shall include, but are not limited to, all of the following: 76

(1) A requirement that applications for reimbursement be 77  
submitted on a ~~fiscal~~ calendar-year basis; 78

(2) The documentation required to substantiate any costs for 79  
which the applicant seeks reimbursement; 80

~~(3) The procedure for prorating reimbursements if the amount~~ 81  
~~of money appropriated for reimbursement for any fiscal year is not~~ 82  
~~sufficient to pay all of the costs approved for reimbursement for~~ 83

~~that fiscal year;~~

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~~(4) Any other requirements necessary for the proper  
administration of the reimbursement program.~~

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~~(C) The Ohio peace officer training commission shall  
administer a program for reimbursing appointing authorities for  
the costs of continuing professional training that is successfully  
completed by the appointing authority's paid peace officers. The  
commission shall administer the reimbursement program in  
accordance with rules adopted by the attorney general pursuant to  
division (B) of this section.~~

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~~(D) Each sheriff, constable, and chief of police of an  
organized municipal or township police department, township police  
district police force, or university or college police department  
appointing authority may apply each fiscal calendar year to the  
peace officer training commission for reimbursement for the costs  
of ~~peace officer basic~~ continuing professional training programs,  
~~advanced peace officer training programs, basic jailer training  
programs, and firearms requalification training programs that are~~  
is successfully completed by the ~~sheriff, constable, or chief or a  
peace officer under the sheriff's, constable's, or chief's~~  
supervision. The ~~superintendent of the state highway patrol and  
the director of natural resources~~ may apply each fiscal year to  
the peace officer training commission for reimbursement for the  
costs of ~~peace officer basic training programs, advanced peace  
officer training programs, and basic jailer training programs~~  
successfully completed by the ~~superintendent or director or the  
peace officers under the superintendent's or director's~~  
supervision. The ~~chief of the adult parole authority and each  
chief probation officer of a county probation department,  
multicounty probation department, or municipal court department of  
probation~~ may apply each fiscal year to the peace officer training  
commission for reimbursement for the costs of ~~basic firearm~~~~

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~~training programs and firearms requalification programs~~ 116  
~~successfully completed by that chief or by parole or probation~~ 117  
~~officers under the chief's supervision~~ appointing authority's paid 118  
peace officers. Each application shall be made in accordance with, 119  
on an application form prescribed in, and be supported by the 120  
documentation required by, the rules adopted by the attorney 121  
general pursuant to division (B) of this section. 122

~~(D)~~(E) The commission, in accordance with rules of the 123  
attorney general adopted under division (B) of this section, shall 124  
review each application for reimbursement to determine if the 125  
applicant is entitled to reimbursement for the training for which 126  
the applicant seeks reimbursement. If the appointing authority 127  
complies with the requirements of this section, the commission 128  
shall approve reimbursing the appointing authority for the cost of 129  
continuing professional training. The actual amount of 130  
reimbursement for continuing professional training shall be 131  
determined by rules adopted by the attorney general under division 132  
(B) of this section. 133

(F) Each appointing authority that receives funds under this 134  
section shall keep those funds separate from any other funds of 135  
the appointing authority. No appointing authority that receives 136  
funds under this section shall use those funds to supplant or 137  
offset existing budgets for continuing professional training. The 138  
appointing authority shall use the funds received under this 139  
section only for continuing professional training and associated 140  
costs. 141

(G) As used in this section and section 109.803 of the 142  
Revised Code: 143

(1) "Peace officer" ~~includes a sheriff, deputy sheriff,~~ 144  
~~marshal, deputy marshal, chief of police and member of a municipal~~ 145  
~~or township police department, chief of police and member of a~~ 146  
~~township police district police force, chief of police of a~~ 147

~~university or college police department, state university law enforcement officer appointed under section 3345.04 of the Revised Code, superintendent of the state highway patrol, state highway patrol trooper, and employee of the department of natural resources who is a natural resources law enforcement staff officer, park officer, forest officer, preserve officer, wildlife officer, or state watercraft officer~~ has the same meaning as in section 109.71 of the Revised Code and includes state highway patrol troopers.

(2) ~~"Chief of police of an organized municipal police department" includes the chief of police of a village police department.~~

(3) ~~"Chief of police of a village police department" means the village marshal.~~

(4) ~~"Chief of police of a university or college police department" means the person who has direct supervisory authority over the state university law enforcement officers who are appointed for the university or college pursuant to section 3345.04 of the Revised Code by the board of trustees of the university or college~~ "Appointing authority" means any public agency or entity that appoints or employs a peace officer.

Sec. 109.803. (A) Every appointing authority shall require each of its paid peace officers to complete up to twenty-four hours of continuing professional training each calendar year. The Ohio peace officer training commission may specify the content of up to eight of these hours of training. If an appointing authority complies with this training requirement and with division (B) of section 109.761 of the Revised Code and if the paid peace officers of the appointing authority comply with section 109.801 of the Revised Code to the extent that they are subject to that section and comply with all other training mandated by the general

assembly or the Ohio peace officer training commission, the 179  
attorney general shall reimburse the appointing authority for the 180  
successful training costs of each of its paid peace officers as 181  
provided in section 109.802 of the Revised Code. 182

(B) No paid peace officer who fails to complete the minimum 183  
required hours of law enforcement training in any calendar year or 184  
who fails to comply with section 109.801 of the Revised Code or 185  
any other required training shall carry a firearm during the 186  
course of official duties or perform the functions of a peace 187  
officer until evidence of the peace officer's compliance with 188  
those requirements is filed with the executive director of the 189  
Ohio peace officer training commission. 190

(C) With the advice of the Ohio peace officer training 191  
commission, the attorney general shall adopt in accordance with 192  
Chapter 119. of the Revised Code rules setting forth minimum 193  
standards for continuing professional training for peace officers 194  
and governing the administration of the continuing professional 195  
training for peace officers. The attorney general shall transmit a 196  
certified copy of any rule adopted under this section to the 197  
secretary of state. 198

**Section 2.** That existing sections 109.761 and 109.802 and 199  
section 109.803 of the Revised Code are hereby repealed. 200

**Section 3.** An appointing authority that provides continuing 201  
professional training in the 2006 calendar year is eligible to 202  
apply to the Peace Officer Training Commission for reimbursement 203  
for the costs of that training as provided in section 109.802, as 204  
amended, and section 109.803 of the Revised Code, as enacted, by 205  
this act. 206