**2:01:06:02.  Temporary or probationary appointment.** A person qualified under chapter 2:01:02 who has not completed the training program required by § 2:01:06:01 or whose certification has expired under § 2:01:02:11, may be appointed on a temporary or probationary basis as a noncertified law enforcement officer for a period not to exceed twelve cumulative months. The person may not work in an enforcement capacity until the person has successfully completed the state qualifying firearms course and received instruction from the appointing agency on its use of force or response to resistance policy. The Law Enforcement Officers Standards and Training Commission may waive the requirement to complete the state qualifying firearms course upon written request of a law enforcement agency documenting that the appointed person is a certified officer with another agency and has successfully completed a firearms qualification course within the year prior to the appointment. In municipalities of the third class, the commission may extend the one-year temporary or probationary period for an additional year if a written request has been received by the commission from the hiring agency prior to the expiration of the first year.

**Source:** 2 SDR 37, effective November 20, 1975; 11 SDR 135, effective April 14, 1985; 12 SDR 1, effective July 17, 1985; 42 SDR 101, effective January 12, 2016; 50 SDR 63, effective November 28, 2023.

**General Authority:** SDCL 23-3-35(3),23-3-41.

**Law Implemented:** SDCL 23-3-35(3), 23-3-41.