

State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

795J0643

SENATE BILL NO. 95

Introduced by: Senators Schoenbeck, Abdallah, and Albers and Representatives Hennies and Buckingham

1 FOR AN ACT ENTITLED, An Act to permit the Law Enforcement Officers Standards
2 Commission to refuse certain applications and to revoke certain certifications based on
3 juvenile adjudications and dispositions.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That § 23-3-42 be amended to read as follows:

6 23-3-42. In addition to the requirements of § 23-3-41, the commission, by rules ~~and~~
7 ~~regulations promulgated pursuant to chapter 1-26,~~ shall fix other qualifications for the
8 employment and training of appointed law enforcement officers, including minimum age,
9 education, physical and mental standards, citizenship, good moral character, experience, and
10 such other matters as relate to the competence and reliability of persons to assume and discharge
11 the various responsibilities of law enforcement officers, ~~and the.~~ The commission shall also
12 prescribe the means for presenting evidence of fulfillment of these requirements.
13 Notwithstanding §§ 23A-27-14 and 23A-27-17, a any person seeking or having attained
14 certification as a law enforcement officer who has received an order pursuant to § 23A-27-13
15 may have his or her application refused or certification revoked. Notwithstanding §§ 26-7A-105



1 and 26-7A-106, any person seeking or having attained certification as a law enforcement officer
2 who has received an adjudication or disposition pursuant to chapter 26-7A, 26-8A, 26-8B, or 26-
3 8C may have his or her application refused or certification revoked.