

AN ACT

ENTITLED, An Act to authorize the training of tribal law officers at the Law Enforcement Training Center.

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

Section 1. That § 23-3-15 be amended to read:

23-3-15. It shall be the duty of the Division of Criminal Investigation to cooperate with similar divisions, bureaus, or departments of other states, tribal governments, or of the Bureau of Investigation of the Department of Justice in Washington, D.C.

Section 2. That § 23-3-18 be amended to read:

23-3-18. In order to supplement the provisions of § 23-3-17 the Division of Criminal Investigation is hereby designated as the official agency to coordinate and administer the training of all law enforcement officers within this state. By such designation it is not the intention to interfere with or to abolish any intra-department training program sponsored by state, tribal governments, county, or local law enforcement agencies, but rather it is the intention to encourage intra-departmental training.

Section 3. That § 23-3-28 be amended to read:

23-3-28. There is hereby created a Law Enforcement Officers Standards Commission in the Office of the Attorney General. This commission shall consist of eleven members, eight of whom shall be appointed by the attorney general as follows: one person from the Division of Highway Patrol; one person who is a duly elected, qualified, and acting sheriff of this state; one person who is a duly appointed, qualified, and acting member of a municipal police department of this state; one member who is a certified tribal law enforcement officer; one person who is a member of the State Bar of South Dakota; one member recommended by the executive director of the Board of Regents; one member recommended by the South Dakota Municipal League; and one member recommended

by the South Dakota County Commissioners Association.

The attorney general on the first appointments shall appoint three members for terms of one year and four members for a term of two years; thereafter all appointments shall be for two years. An appointee is eligible to be reappointed.

Section 4. That § 23-3-35 be amended to read:

23-3-35. In addition to powers conferred upon the Law Enforcement Officers Standards Commission elsewhere in this chapter, the commission may:

- (1) Promulgate rules for the administration of §§ 23-3-26 to 23-3-47, inclusive, including the authority to require the submission of reports and information by law enforcement agencies within this state;
- (2) Establish minimum educational and training standards for admission to employment as a law enforcement officer:
 - (a) In permanent positions; and
 - (b) In temporary or probationary status;
- (3) Certify persons as being qualified under the provisions of §§ 23-3-26 to 23-3-47, inclusive, to be law enforcement officers, and by rule to establish criteria and procedure for the revocation or suspension of the certification of officers who have been convicted of a felony or misdemeanor involving moral turpitude, have intentionally falsified any application or document to achieve certification, or have been discharged from employment for cause, or have engaged in conduct unbecoming of a law enforcement officer;
- (4) Establish minimum curriculum requirements for preparatory, in-service, and advanced courses and programs for schools operated by or for the state or any political subdivisions of the state for the specific purpose of training recruits, other law enforcement officers,

- or tribal law enforcement;
- (5) Consult and cooperate with counties, municipalities, agencies of this state, tribal governments, other governmental agencies, and with universities, colleges, junior colleges, and other institutions concerning the development of law enforcement training schools and programs or courses of instruction;
 - (6) Approve institutions and facilities for school operation by or for the state or any political subdivision of the state for the specific purpose of training law enforcement officers and recruits;
 - (7) Make or encourage studies of any aspect of police administration;
 - (8) Conduct and stimulate research by public and private agencies which is designed to improve police administration and law enforcement;
 - (9) Make recommendations concerning any matter within its purview pursuant to §§ 23-3-26 to 23-3-47, inclusive;
 - (10) Make such evaluations as may be necessary to determine if governmental units are complying with the provisions of §§ 23-3-26 to 23-3-47, inclusive;
 - (11) Adopt and amend bylaws, consistent with law, for its internal management and control;
 - (12) Enter into contracts or do such things as may be necessary and incidental to the administration of its authority pursuant to §§ 23-3-26 to 23-3-47, inclusive;
 - (13) License and regulate the activities of private or law enforcement polygraph and computer voice stress analyzer examiners;
 - (14) Certify canine teams; and
 - (15) Establish minimum educational and training standards for newly selected county coroners and advanced training standards for incumbent county coroners;
 - (16) Establish minimum educational and training standards for school sentinels authorized in

§ 13-64-1.

Section 5. That § 23-3-39 be amended to read:

23-3-39. The commission shall establish and maintain law enforcement training programs through the tribal governments of the federally recognized Indian tribes and the agencies and institutions the commission may deem appropriate.

Section 6. That chapter 23-3 be amended by adding a NEW SECTION to read:

The term, tribal law enforcement, means law enforcement agencies administered by one of the federally recognized Indian tribes or Bureau of Indian Affairs with land geographically located within the borders of this state.

An Act to authorize the training of tribal law officers at the Law Enforcement Training Center.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1249

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1249

File No. _____

Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State