

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

706B0692

HOUSE BILL NO. 1211

Introduced by: Representatives Duniphan, Crisp, Rost, and Wick and Senators Whiting, Aker, Albers, Benson, Drake, Kloucek, Munson (David), and Symens

1 FOR AN ACT ENTITLED, An Act to allow for the revocation or suspension of law
2 enforcement certification for conduct unbecoming an officer.

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

4 Section 1. That § 23-3-35 be amended to read as follows:

5 23-3-35. In addition to powers conferred upon the law enforcement officers standards
6 commission elsewhere in this chapter, the commission may:

7 (1) Promulgate rules and regulations for the administration of §§ 23-3-26 to 23-3-47,
8 inclusive, including the authority to require the submission of reports and information
9 by law enforcement agencies within this state;

10 (2) Establish minimum educational and training standards for admission to employment
11 as a law enforcement officer:

12 (a) In permanent positions; and

13 (b) In temporary or probationary status;

14 (3) Certify persons as being qualified under the provisions of §§ 23-3-26 to 23-3-47,
15 inclusive, to be law enforcement officers, and by rule to establish criteria and

1 procedure for the revocation or suspension of the certification of officers who ~~are~~
2 have been convicted of a felony or misdemeanor involving moral turpitude, have
3 intentionally falsified any application or document to achieve certification, or have
4 been discharged from employment for cause, or have engaged in conduct
5 unbecoming of a law enforcement officer;

6 (4) Establish minimum curriculum requirements for preparatory, in-service, and advanced
7 courses and programs for schools operated by or for the state or any political
8 subdivisions ~~thereof~~ of the state for the specific purpose of training recruits or other
9 law enforcement officers;

10 (5) Consult and cooperate with counties, municipalities, agencies of this state, other
11 governmental agencies, and with universities, colleges, junior colleges, and other
12 institutions concerning the development of law enforcement training schools and
13 programs or courses of instruction;

14 (6) Approve institutions and facilities for school operation by or for the state or any
15 political subdivision ~~thereof~~ of the state for the specific purpose of training law
16 enforcement officers and recruits;

17 (7) Make or encourage studies of any aspect of police administration;

18 (8) Conduct and stimulate research by public and private agencies which ~~shall be~~ is
19 designed to improve police administration and law enforcement;

20 (9) Make recommendations concerning any matter within its purview pursuant to
21 §§ 23-3-26 to 23-3-47, inclusive;

22 (10) Make such evaluations as may be necessary to determine if governmental units are
23 complying with the provisions of §§ 23-3-26 to 23-3-47, inclusive;

24 (11) Adopt and amend bylaws, consistent with law, for its internal management and
25 control;

- 1 (12) Enter into contracts or do such things as may be necessary and incidental to the
- 2 administration of its authority pursuant to §§ 23-3-26 to 23-3-47, inclusive;
- 3 (13) License and regulate the activities of private or law enforcement polygraph examiners.