

CHAPTER 367

CRIMINAL LAW AND PROCEDURE

HOUSE BILL 26-1312

BY REPRESENTATIVE(S) Clifford, McCluskie, Bacon, Duran, Valdez;
also SENATOR(S) Mullica, Bridges, Exum, Kolker, Lindstedt, Marchman, Coleman.

AN ACT

CONCERNING MEASURES RELATED TO PEACE OFFICER PARTICIPATION IN MATTERS RELATED TO PEACE OFFICER PERFORMANCE, AND, IN CONNECTION THEREWITH, REQUIRING THE ATTORNEY GENERAL TO SUBMIT A PROPOSAL TO UPDATE LAW ENFORCEMENT ACADEMY TRAINING PROGRAMS, CHANGING THE COMPOSITION OF THE P.O.S.T. BOARD, REQUIRING A PERSON BE TWENTY-ONE YEARS OLD TO PASS P.O.S.T. BOARD EXAMINATIONS FOR CERTIFICATION, AND AUTHORIZING A PEACE OFFICER ACADEMY STAFF PERSON TO BE ELIGIBLE TO RECEIVE TRAINING OR GRANTS FOR TRAINING OFFERED BY ANY STATE OR LOCAL ENTITY.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 24-31-101, **amend** (1)(v) and (1)(w); and **add** (1)(x) as follows:

24-31-101. Powers and duties of attorney general - notice to revisor of statutes - repeal.

(1) The attorney general:

(v) May expend money, manage staff, and perform other administrative functions essential for the operation of a district attorney's office when appointed by executive order of the governor; ~~and~~

(w) May conduct jail assessments in collaboration with the jail standards advisory committee, created pursuant to section 30-10-530, pursuant to section 24-31-118;
AND

(x) (I) SHALL SUBMIT TO THE PEACE OFFICERS STANDARDS AND TRAINING BOARD A PROPOSAL BY DECEMBER 31, 2030, TO UPDATE CURRENT BASIC, RESERVE, AND REFRESHER LAW ENFORCEMENT TRAINING ACADEMY PROGRAMS AND IMPROVE THE

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

PEACE OFFICER PERFORMANCE OF FUTURE ACADEMY GRADUATES. IF THE P.O.S.T. BOARD DOES NOT ACCEPT THE PROPOSAL, THE ATTORNEY GENERAL SHALL SUBMIT A NEW PROPOSAL WITHIN ONE YEAR AFTER THE DATE THE P.O.S.T. BOARD DID NOT ACCEPT THE PROPOSAL.

(II) THIS SUBSECTION (1)(x) IS REPEALED IF:

(A) THE PEACE OFFICERS STANDARDS AND TRAINING BOARD APPROVES A COMPREHENSIVE UPDATE TO LAW ENFORCEMENT TRAINING ACADEMY PROGRAMS; AND

(B) THE CHAIR OF THE PEACE OFFICERS STANDARDS AND TRAINING BOARD NOTIFIES THE REVISOR OF STATUTES IN WRITING OF THE DATE WHEN THE CONDITIONS SPECIFIED IN THIS SUBSECTION (1)(x)(II) HAVE OCCURRED BY EMAILING THE NOTICE TO REVISOROFSTATUTES.GA@COLEG.GOV.

(III) THIS SUBSECTION (1)(x) IS REPEALED, EFFECTIVE UPON THE DATE IDENTIFIED IN THE NOTICE DESCRIBED IN SUBSECTION (1)(x)(II) OF THIS SECTION OR, IF THE NOTICE DOES NOT SPECIFY A DATE, UPON THE DATE OF THE NOTICE TO THE REVISOR OF STATUTES.

SECTION 2. In Colorado Revised Statutes, 24-31-302, **amend** (3)(a); and **add** (3)(e) as follows:

24-31-302. Creation of board - members.

(3)(a) The P.O.S.T. board consists of ~~twenty-four~~ TWENTY-EIGHT members. The chair of the P.O.S.T. board is the attorney general OR THE ATTORNEY GENERAL'S DESIGNEE, and the board shall annually elect from its members a vice-chair. THE CHAIR AND VICE-CHAIR MAY SOLICIT ADDITIONAL EXPERTISE AND PARTICIPATION FROM NONVOTING PERSONS AS MAY FURTHER THE DUTIES OF THE P.O.S.T. BOARD. The other members ~~shall be~~ ARE:

(I) ~~The special agent in charge of the Denver division of the federal bureau of investigation;~~

(II) The executive director of the department of public safety or the executive director's designee;

(III) The following members appointed by the governor for terms of three years:

(A) One local government representative;

(B) ~~Six~~ FIVE active chiefs of police from municipalities of this state or state institutions of higher education OF WHICH ONE MUST BE FROM AN URBAN MUNICIPALITY, ONE MUST BE FROM A SUBURBAN MUNICIPALITY, ONE MUST BE FROM A COLLEGE OR UNIVERSITY POLICE DEPARTMENT, AND ONE MUST BE FROM A RURAL MUNICIPALITY, AFTER THE GOVERNOR CONSULTS WITH A STATEWIDE ORGANIZATION REPRESENTING CHIEFS OF POLICE;

(C) ~~Six~~ FIVE active sheriffs from counties of this state OF WHICH ONE MUST BE FROM AN URBAN COUNTY, ONE MUST BE FROM A SUBURBAN COUNTY, AND ONE MUST BE FROM A RURAL COUNTY, AFTER THE GOVERNOR CONSULTS WITH A STATEWIDE ORGANIZATION REPRESENTING SHERIFFS;

(D) ~~Three~~ SIX active peace officers with a rank of sergeant or below, ~~and~~ AFTER THE GOVERNOR CONSULTS WITH A STATEWIDE ORGANIZATION REPRESENTING LINE-LEVEL PEACE OFFICERS;

(E) ONE REPRESENTATIVE OF A STATEWIDE ORGANIZATION REPRESENTING PEACE OFFICERS WITH A RANK OF SERGEANT OR BELOW;

(F) TWO ACTIVE P.O.S.T.-CERTIFIED PEACE OFFICERS WITH A NONEXECUTIVE RANK FROM STATE LAW ENFORCEMENT AGENCIES;

~~(E)~~ (G) FIVE THREE non-law-enforcement members. ~~The non-law-enforcement members shall complete a citizens' law enforcement academy prior to appointment or within one year after appointment.~~

(H) ONE TRAINING ACADEMY DIRECTOR REPRESENTING A COMMUNITY-COLLEGE-OPERATED PEACE OFFICER TRAINING ACADEMY;

(I) ONE TRAINING ACADEMY DIRECTOR REPRESENTING A LAW-ENFORCEMENT-OPERATED PEACE OFFICER TRAINING ACADEMY; AND

(J) ONE EXECUTIVE FROM AN ORGANIZATION REPRESENTING RESERVE PEACE OFFICERS.

(e) A PERSON WHO HAS HAD THEIR P.O.S.T. CERTIFICATION REVOKED SHALL NOT BE APPOINTED TO SERVE ON THE P.O.S.T. BOARD.

SECTION 3. In Colorado Revised Statutes, 24-31-303, **add** (7) as follows:

24-31-303. Duties - powers of the P.O.S.T. board - instructors - definition.

(7) IN CARRYING OUT ITS DUTIES PURSUANT TO SUBSECTION (1) OF THIS SECTION, THE P.O.S.T. BOARD SHALL NOT APPROVE AS A SKILLS INSTRUCTOR A PERSON WHOSE PEACE OFFICER CERTIFICATION HAS BEEN REVOKED BY THE P.O.S.T. BOARD AND SHALL NOT APPROVE A TRAINING ACADEMY IF AN INSTRUCTOR OF THE TRAINING ACADEMY IS A PERSON WHOSE PEACE OFFICER CERTIFICATION HAS BEEN REVOKED BY THE P.O.S.T. BOARD AFTER SEPTEMBER 1, 2026.

SECTION 4. In Colorado Revised Statutes, 24-31-305, **amend** (1)(a) introductory portion, (1)(a)(III), and (1)(a)(IV); and **add** (1)(a)(V) as follows:

24-31-305. Certification - issuance - renewal - revocation - rules - definition.

(1) (a) Basic peace officer certification requirements ~~shall~~ MUST include:

(III) Passage of examinations administered by the P.O.S.T. board; ~~and~~

(IV) Current first aid and cardiopulmonary resuscitation certificates or their equivalents; AND

(V) THAT THE CERTIFIED PEACE OFFICER IS AT LEAST TWENTY-ONE YEARS OLD OR OLDER.

SECTION 5. In Colorado Revised Statutes, **add** 24-31-322 as follows:

24-31-322. Authority to receive training or grants.

A TRAINING ACADEMY FULL-TIME INSTRUCTOR IS ELIGIBLE TO ATTEND P.O.S.T. CERTIFICATION CLASSES THAT ARE FUNDED OR HOSTED USING GRANT FUNDING, BUT ARE NOT ELIGIBLE TO RECEIVE INDIVIDUAL GRANT FUNDING FROM THE P.O.S.T. BOARD. THIS SECTION DOES NOT PROHIBIT A TRAINING ACADEMY FULL-TIME INSTRUCTOR FROM RECEIVING INDIVIDUAL GRANT FUNDING FROM AN ENTITY THAT IS NOT THE P.O.S.T. BOARD.

SECTION 6. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 3, 2026