

**Second Regular Session
Seventieth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 16-0864.01 Michael Dohr x4347

SENATE BILL 16-111

SENATE SPONSORSHIP

Lambert, Baumgardner, Grantham, Cooke, Newell, Garcia, Neville T., Scheffel, Carroll

HOUSE SPONSORSHIP

Lundeen, Fields, Klingenschmitt, Saine, Joshi

Senate Committees
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House Committees

A BILL FOR AN ACT

101 **CONCERNING AUTHORIZING THE COLORADO MOUNTED RANGERS AS**
102 **CERTIFIED RESERVE PEACE OFFICERS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The Colorado mounted rangers (rangers) are an all-volunteer, self-funded auxiliary, full-time, nonprofit law enforcement governmental unit organized to provide support and assistance to municipal governments and local, county, and state law enforcement agencies in the state. The rangers are created within the division of homeland security and emergency management (division) in the department of public safety.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

The division shall employ a person to act as the interface between the division and the rangers, to exercise control over the peace officers, to maintain standards and training, and to evaluate the rangers' suitability for duty. The salary and benefits costs for the employee shall be paid by gifts, grants, and donations to the division. The rangers are supervised by a board of directors. The board of directors is comprised of 3 elected individuals and shall provide oversight and management of the rangers subject to the division.

The bill creates reserve peace officer category II status and confers that status to the Colorado mounted rangers.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 16-2.5-102
3 as follows:

4 **16-2.5-102. Certified peace officer - P.O.S.T. certification**
5 **required.** The following peace officers shall meet all the standards
6 imposed by law on a peace officer and shall be certified by the peace
7 officers standards and training board, referred to in this article as the
8 "P.O.S.T. board": A chief of police; a police officer; a sheriff; an
9 undersheriff; a deputy sheriff; a Colorado state patrol officer; a town
10 marshal; a deputy town marshal; a reserve police officer; a reserve deputy
11 sheriff; a reserve deputy town marshal; the director of the Colorado
12 bureau of investigation; a police officer or reserve police officer
13 employed by a state institution of higher education; a Colorado wildlife
14 officer; a Colorado parks and recreation officer; a Colorado police
15 administrator or police officer employed by the Colorado mental health
16 institute at Pueblo; an attorney general criminal investigator; a community
17 parole officer; a public transit officer; a municipal court marshal; ~~and~~ the
18 department of corrections inspector general; AND A COLORADO MOUNTED
19 RANGER RESERVE PEACE OFFICER CATEGORY II.

20 **SECTION 2.** In Colorado Revised Statutes, **add** 16-2.5-152 as

1 follows:

2 **16-2.5-152. Colorado mounted rangers.** A COLORADO MOUNTED
3 RANGER IS A RESERVE PEACE OFFICER CATEGORY II AND SHALL OBTAIN
4 RESERVE PEACE OFFICER CATEGORY II CERTIFICATION FROM THE P.O.S.T.
5 BOARD. A COLORADO MOUNTED RANGER IS AUTHORIZED BY A CITY, CITY
6 AND COUNTY, TOWN, COUNTY, STATE INSTITUTION OF HIGHER EDUCATION
7 WITHIN THE STATE, OR THE STATE OF COLORADO TO ACT FOR CERTAIN
8 SPECIFIC AND LIMITED PERIODS OF TIME WHILE THE COLORADO MOUNTED
9 RANGER IS AUTHORIZED TO BE ON DUTY AND ACTING AT THE EXPRESS
10 DIRECTION OR UNDER THE DIRECT SUPERVISION OF A FULLY
11 P.O.S.T.-CERTIFIED PEACE OFFICER PURSUANT TO THIS ARTICLE. A
12 COLORADO MOUNTED RANGER IS A PEACE OFFICER WHILE ENGAGED IN THE
13 PERFORMANCE OF HIS OR HER DUTIES WHOSE AUTHORITY SHALL BE
14 LIMITED TO THE AUTHORITY GRANTED BY THE AUTHORIZING AGENCY.

15 **SECTION 3.** In Colorado Revised Statutes, 24-31-301, **amend**
16 (1), (2), (6), and (7) as follows:

17 **24-31-301. Definitions.** As used in this part 3, unless the context
18 otherwise requires:

19 (1) "Applicant" means any person seeking certification to serve
20 as a peace officer, ~~or~~ a reserve peace officer, OR A RESERVE PEACE
21 OFFICER CATEGORY II.

22 (2) "Certification" means the issuance to an applicant of a signed
23 instrument evidencing that such applicant has met the requirements
24 imposed by this part 3 and the P.O.S.T. board. Certification includes
25 "basic certification" and "provisional certification" that ~~shall~~ MUST be
26 issued to peace officers, "reserve certification" that ~~shall~~ MUST be issued
27 to reserve peace officers, "RESERVE PEACE OFFICER CATEGORY II

1 CERTIFICATION" THAT MUST BE ISSUED TO VOLUNTEER RESERVE PEACE
2 OFFICERS, and such additional certifications as the board may approve for
3 peace officers.

4 (6) "Training academy" means any school approved by the
5 P.O.S.T. board where peace officers, ~~and~~ reserve peace officers, AND
6 RESERVE PEACE OFFICERS CATEGORY II receive instruction and training.

7 (7) "Training program" means a course of instruction approved by
8 the P.O.S.T. board for peace officer or reserve peace officer certification,
9 RESERVE PEACE OFFICER CATEGORY II CERTIFICATION, and other peace
10 officer training programs.

11 **SECTION 4.** In Colorado Revised Statutes, 24-31-303, **amend**
12 (1) (g), (5) introductory portion, and (5) (b) as follows:

13 **24-31-303. Duties - powers of the P.O.S.T. board.** (1) The
14 P.O.S.T. board has the following duties:

15 (g) To promulgate rules and regulations deemed necessary by such
16 board for the certification of applicants to serve as peace officers, ~~or~~
17 reserve peace officers, OR RESERVE PEACE OFFICERS CATEGORY II in the
18 state pursuant to the provisions of article 4 of this title;

19 (5) It is unlawful for any person to serve as a peace officer, as
20 described in section 16-2.5-102, C.R.S., ~~or~~ a reserve peace officer as
21 defined in section 16-2.5-110, C.R.S., OR A RESERVE PEACE OFFICER
22 CATEGORY II in this state unless such person:

23 (b) Has undergone both a physical and a psychological evaluation
24 to determine such person's fitness to serve as a peace officer, ~~or~~ a reserve
25 peace officer, OR A RESERVE PEACE OFFICER CATEGORY II. Such
26 evaluations shall have been performed within one year prior to the date
27 of appointment by a physician and either a psychologist or psychiatrist

1 licensed by the state of Colorado.

2 **SECTION 5.** In Colorado Revised Statutes, 24-31-304, **amend**
3 (1) as follows:

4 **24-31-304. Applicant for training - fingerprint-based criminal**
5 **history record check.** (1) For purposes of this section, "training
6 academy" means a basic, ~~or~~ reserve peace officer, OR RESERVE PEACE
7 OFFICER CATEGORY II training program approved by the P.O.S.T. board
8 that is offered by a training academy, community college, college, or
9 university.

10 **SECTION 6.** In Colorado Revised Statutes, 24-31-305, **amend**
11 (1.7) (a) and (1.7) (b); and **add** (1.4) as follows:

12 **24-31-305. Certification - issuance - renewal - revocation.**

13 (1.4) RESERVE PEACE OFFICER CERTIFICATION CATEGORY II
14 REQUIREMENTS SHALL INCLUDE:

15 (a) SUCCESSFUL COMPLETION OF A HIGH SCHOOL EDUCATION OR
16 ITS EQUIVALENT;

17 (b) SUCCESSFUL COMPLETION OF ONE HUNDRED TWENTY HOURS
18 RESERVE TRAINING APPROVED BY THE P.O.S.T. BOARD; AND

19 (c) CURRENT FIRST AID AND CARDIOPULMONARY RESUSCITATION
20 CERTIFICATES OR THEIR EQUIVALENTS.

21 (1.7) (a) Unless revoked, a basic certification, ~~or~~ reserve
22 certification, OR RESERVE PEACE OFFICER CATEGORY II CERTIFICATION
23 issued pursuant to this part 3 is valid as long as the certificate holder is
24 continuously serving as a peace officer or reserve peace officer.

25 (b) If a basic or reserve certificate OR RESERVE PEACE OFFICER
26 CATEGORY II CERTIFICATE holder has not served as a peace officer or
27 reserve peace officer for a total of at least six months during any

1 consecutive three-year period, the certification automatically expires at
2 the end of such three-year period, unless the certificate holder is then
3 serving as a peace officer, ~~or~~ reserve peace officer, OR RESERVE PEACE
4 OFFICER CATEGORY II.

5 **SECTION 7.** In Colorado Revised Statutes, 24-31-307, **amend**
6 (1) as follows:

7 **24-31-307. Enforcement.** (1) The P.O.S.T. board shall have the
8 power to direct the attorney general to enforce the provisions of this part
9 3 through an action in district court for injunctive or other appropriate
10 relief against:

11 (a) Any individual undertaking or attempting to undertake any
12 duties as a peace officer, ~~or~~ a reserve peace officer, OR A RESERVE PEACE
13 OFFICER CATEGORY II in this state in violation of this part 3; and

14 (b) Any agency permitting any individual to undertake or attempt
15 to undertake any duties as a peace officer, ~~or~~ a reserve peace officer, OR
16 A RESERVE PEACE OFFICER CATEGORY II in this state under the auspices of
17 such agency in violation of this part 3.

18 **SECTION 8.** In Colorado Revised Statutes, **add** 24-33.5-1616 as
19 follows:

20 **24-33.5-1616. Colorado mounted rangers.** (1) (a) THERE IS
21 HEREBY CREATED AND ESTABLISHED WITHIN THE DIVISION THE COLORADO
22 MOUNTED RANGERS, REFERRED TO HEREIN AS "RANGERS". THE RANGERS
23 ARE AN ALL-VOLUNTEER, SELF-FUNDED AUXILIARY, FULL-TIME,
24 NONPROFIT LAW ENFORCEMENT GOVERNMENTAL UNIT ORGANIZED TO
25 PROVIDE SUPPORT AND ASSISTANCE TO MUNICIPAL GOVERNMENTS AND
26 LOCAL, COUNTY, AND STATE LAW ENFORCEMENT AGENCIES IN THE STATE.

27 (b) THE DIVISION SHALL EMPLOY A PERSON TO ACT AS THE

1 INTERFACE BETWEEN THE DIVISION AND THE RANGERS TO EXERCISE
2 CONTROL OVER THE RESERVE PEACE OFFICERS CATEGORY II IN
3 CONJUNCTION WITH THE RANGER'S BOARD OF DIRECTORS, TO MAINTAIN
4 STANDARDS AND TRAINING, AND TO EVALUATE THE RANGERS' SUITABILITY
5 FOR DUTY. THE SALARY AND BENEFITS COSTS FOR THE EMPLOYEE SHALL
6 BE PAID BY THE GIFTS, GRANTS, OR DONATIONS TO THE DIVISION.

7 (c) THE RANGERS ARE AN INSTRUMENT OF A MUNICIPALITY FOR
8 INSURANCE PURPOSES.

9 (2) THE RANGERS ARE SUPERVISED BY A BOARD OF DIRECTORS.
10 THE BOARD OF DIRECTORS IS COMPRISED OF THREE ELECTED OFFICIALS.
11 THE BOARD SHALL PROVIDE OVERSIGHT AND MANAGEMENT OF THE
12 RANGERS SUBJECT TO THE DIVISION.

13 (3) THE RANGERS ARE A RESERVE PEACE OFFICER CATEGORY II
14 AGENCY. THE RANGERS SHALL MAINTAIN THEIR OWN PEACE OFFICERS
15 STANDARDS AND TRAINING BOARD COMPLIANT POLICIES AND
16 PROCEDURES, INCLUDING A CHAIN OF COMMAND AND A REVIEW POLICY
17 FOR INDIVIDUAL RANGER CONDUCT.

18 (4) THE DIVISION SHALL ISSUE IDENTIFICATION CARDS FOR ALL
19 CERTIFIED RESERVE PEACE OFFICER CATEGORY II RANGERS.

20 **SECTION 9. Safety clause.** The general assembly hereby finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, and safety.