

1 HB261
2 205031-1
3 By Representative Treadaway
4 RFD: Public Safety and Homeland Security
5 First Read: 18-FEB-20

2
3
4
5
6
7
8 SYNOPSIS: Under existing law, the president or chief
9 executive officer of any state college or
10 university may appoint individuals to serve as
11 police officers for the college or university. The
12 officers are required to be certified through the
13 Alabama Peace Officers' Standards and Training
14 Commission.

15 This bill would authorize the president or
16 chief executive officer of any state college or
17 university to appoint reserve police officers.

18 This bill would prohibit reserve police
19 officers from being vested with any law enforcement
20 powers or the power of arrest until and unless the
21 reserve police officer obtains certification
22 through the Alabama Peace Officers' Standards and
23 Training Commission.

24 This bill would also provide certain
25 qualifications for a person who applies to be a
26 reserve police officer.

1 A BILL
2 TO BE ENTITLED
3 AN ACT
4

5 Relating to state college or university law
6 enforcement officers; to amend Section 16-22-1, Code of
7 Alabama 1975, to authorize the appointment of reserve police
8 officers and provide requirements for their appointment and
9 qualifications.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. Section 16-22-1, Code of Alabama 1975, is
12 amended to read as follows:

13 "§16-22-1.

14 "(a) The president or chief executive officer of any
15 state college or university, the president or chief executive
16 officer of the Alabama Institute for Deaf and Blind, and the
17 presidents or chief executive officers of Talladega College,
18 Concordia College, Samford University, Birmingham-Southern
19 College, Miles College, Stillman College, Tuskegee University,
20 Spring Hill College, Faulkner University, Selma University,
21 Madison Academy, and Briarwood Presbyterian Church and its
22 integrated auxiliary Briarwood Christian School may appoint
23 and employ one or more suitable persons to act as police
24 officers to keep off intruders and prevent trespass upon and
25 damage to the property of the college or university or of the
26 institute. These persons shall be charged with all the duties
27 and invested with all the powers of police officers, including

1 the power of arrest for unlawful acts committed on the
2 property.

3 "(b) Any person appointed to act as a police
4 officer, pursuant to subsection (a), while on duty, shall
5 carry and be trained in the proper use of a nonlethal weapon.
6 For the purposes of this subsection, a nonlethal weapon is a
7 weapon that is explicitly designed and primarily employed to
8 immediately incapacitate the targeted person while minimizing
9 fatalities and permanent injury. A nonlethal weapon is
10 intended to have a reversible effect on the targeted person.

11 "(c) A person appointed as a police officer pursuant
12 to subsection (a) shall be certified through the Alabama Peace
13 Officers' Standards and Training Commission.

14 "(d) The president or chief executive officer of any
15 state college or university may appoint reserve police
16 officers to assist or aid duly appointed certified law
17 enforcement officers of the state college or university. The
18 reserve police officer shall serve under the direction of the
19 chief of police of the state college or university. No reserve
20 police officers appointed under this subsection shall be
21 vested with any law enforcement authority or exercise any
22 power of arrest unless they are first certified by the Alabama
23 Peace Officers' Standards and Training Commission. A reserve
24 police officer appointed under this subsection shall obtain
25 his or her certification by the Alabama Peace Officers'
26 Standards and Training Commission within one year of his or
27 her appointment as a reserve police officer. A reserve police

1 officer appointed under this subsection who does not obtain
2 the certification as required by this subsection shall be
3 removed from the state college or university as a reserve
4 police officer.

5 "(e) A person desiring appointment as a reserve
6 police officer under subsection (d) shall submit a written
7 application to the appointing authority certifying that the
8 applicant is 19 years of age or more, is of good moral
9 character and reputation, has never been convicted of a felony
10 or of a misdemeanor involving force, violence, or moral
11 turpitude, and is not prohibited from owning or possessing a
12 firearm. The applicant shall consent in writing to a
13 fingerprint and complete background investigation.

14 "(f) A reserve police officer may not carry a
15 firearm unless the officer has obtained a properly issued
16 permit to carry or possess a firearm, has been trained and
17 qualified in the proficient use of the firearm, and the
18 appointing authority has approved his or her use of the
19 firearm. A reserve police officer may carry a firearm only as
20 authorized by this subsection and only to the extent permitted
21 by rules of the appointing authority.

22 ~~"(d)~~ (g) This section is cumulative."

23 Section 2. This act shall become effective on the
24 first day of the third month following its passage and
25 approval by the Governor, or its otherwise becoming law.