

1 **Peace Officer and Dispatcher Standards Amendments**
 2026 GENERAL SESSION
 STATE OF UTAH
Chief Sponsor: Matt MacPherson
 Senate Sponsor:

2
 3 **LONG TITLE**

4 **General Description:**

5 This bill addresses standards for peace officers and dispatchers.

6 **Highlighted Provisions:**

7 This bill:

8 ▶ allows the director of the Peace Officer Standards and Training Division, in the director's
 9 discretion and under certain circumstances, to allow a peace officer applicant who has an
 10 expunged or dismissed disqualifying criminal offense to be admitted to a certified
 11 academy and to take a peace officer certification examination;

12 ▶ allows the commissioner of the Department of Public Safety, in the commissioner's
 13 discretion and under certain circumstances, to allow a dispatcher applicant who has an
 14 expunged or dismissed disqualifying criminal offense to take a dispatcher certification
 15 examination; and

16 ▶ makes technical and conforming changes.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **53-6-203**, as last amended by Laws of Utah 2024, Chapter 175

24 **53-6-302**, as last amended by Laws of Utah 2024, Chapters 175, 194

26 *Be it enacted by the Legislature of the state of Utah:*

27 Section 1. Section **53-6-203** is amended to read:

28 **53-6-203 . Applicants for admission to training programs or for certification**
 29 **examination -- Requirements.**

30 (1) Before being accepted for admission to the training programs conducted by a certified

31 academy, and before being allowed to take a certification examination, each applicant
32 for admission or certification examination shall meet the following requirements:

33 (a) be:

34 (i) a United States citizen;

35 (ii) a United States national; or

36 (iii) a lawful permanent resident of the United States who:

37 (A) has been in the United States legally for the five years immediately before the
38 day on which the application is made; and

39 (B) has legal authorization to work in the United States;

40 (b) be at least:

41 (i) 19 years old at the time of certification as a special function officer or correctional
42 officer; or

43 (ii) 21 years old at the time of certification as a law enforcement officer;

44 (c) be a high school graduate or furnish evidence of successful completion of an
45 examination indicating an equivalent achievement;

46 (d) ~~[have not been convicted of a crime]~~ except as provided in Subsection (3), not have a
47 conviction for a criminal offense for which the applicant could have been punished
48 by imprisonment in a federal penitentiary or by imprisonment in the penitentiary of
49 this or another state, including a conviction that has been expunged or dismissed, or
50 treated in a similar manner to expungement or dismissal;

51 (e) have demonstrated good moral character, as determined by a background
52 investigation;

53 (f) be free of any physical, emotional, or mental condition that might adversely affect the
54 performance of the applicant's duties as a peace officer; and

55 (g) meet all other standards required by POST.

56 (2)(a) An application for admission to a training program shall be accompanied by a
57 criminal history background check of local, state, and national criminal history files
58 and a background investigation.

59 (b) The costs of the background check and investigation shall be borne by the applicant
60 or the applicant's employing agency.

61 ~~[(3)(a) Notwithstanding any expungement statute or rule of any other jurisdiction, any~~
62 ~~conviction obtained in this state or other jurisdiction, including a conviction that has~~
63 ~~been expunged, dismissed, or treated in a similar manner to either of these~~
64 ~~procedures, may be considered for purposes of this section.]~~

- 65 (3)(a) An applicant who has been convicted of a criminal offense for which the applicant
66 could have been punished by imprisonment in a federal penitentiary or by
67 imprisonment in the penitentiary of this state or another state may be accepted for
68 admission to a training program conducted by a certified academy and allowed to
69 take a certification examination if:
- 70 (i) the conviction for the criminal offense has been expunged or dismissed, or treated
71 in a similar manner to expungement or dismissal;
 - 72 (ii) the applicant:
 - 73 (A) is not a restricted person under Section 76-11-302, Section 76-11-303, or
74 federal law; and
 - 75 (B) may lawfully possess dangerous weapons;
 - 76 (iii) the criminal offense for which the applicant was convicted was not a violent
77 felony as that term is defined in Section 76-3-203.5;
 - 78 (iv) at least 10 years have passed since the day on which the applicant was convicted
79 of the criminal offense and the applicant has not been convicted of another
80 criminal offense, not including a traffic offense that is a class C misdemeanor or
81 infraction;
 - 82 (v) the applicant meets all other applicable requirements under this section; and
83 (vi) the director, in the director's discretion, has approved the applicant to be accepted
84 for admission to the certified academy and allowed to take the certification
85 examination.
- 86 (b) A decision by the director under Subsection (3)(a)(vi) is final and may not be
87 appealed.
- 88 ~~[(b)]~~ (c) [This provision-] This Subsection (3) applies to convictions entered both before
89 and after the effective date of this section.
- 90 (4) Any background check or background investigation performed under the requirements
91 of this section shall be to determine eligibility for admission to training programs or
92 qualification for certification examinations and may not be used as a replacement for
93 any background investigations that may be required of an employing agency.
- 94 (5) An applicant shall be considered to be of good moral character under Subsection (1)(e)
95 if the applicant has not engaged in conduct that would be a violation of Subsection
96 53-6-211(1).
- 97 (6) An applicant seeking certification as a law enforcement officer, as defined in Section
98 53-13-103, shall be qualified to possess a firearm under state and federal law.

99 Section 2. Section **53-6-302** is amended to read:

100 **53-6-302 . Applicants for certification examination -- Requirements.**

101 (1) Before being allowed to take a dispatcher certification examination, each applicant shall
102 meet the following requirements:

103 (a) be:

104 (i) a United States citizen;

105 (ii) a United States national; or

106 (iii) a lawful permanent resident of the United States who:

107 (A) has been in the United States legally for the five years immediately before the
108 day on which the application is made; and

109 (B) has legal authorization to work in the United States;

110 (b) be 18 years old or older at the time of employment as a dispatcher;

111 (c) be a high school graduate or have a G.E.D. equivalent;

112 (d) ~~[have not been convicted of a crime]~~ except as provided in Subsection (3), not have a
113 conviction for a criminal offense for which the applicant could have been punished
114 by imprisonment in a federal penitentiary or by imprisonment in the penitentiary of
115 this or another state, including a conviction that has been expunged, dismissed, or
116 treated in a similar manner to expungement or dismissal;

117 (e) have demonstrated good moral character, as determined by a background
118 investigation;

119 (f) be free of any physical, emotional, or mental condition that might adversely affect the
120 performance of the applicant's duty as a dispatcher; and

121 (g) meet all other standards required by POST.

122 (2)(a) An application for certification shall be accompanied by a criminal history
123 background check of local, state, and national criminal history files and a background
124 investigation.

125 (b) The costs of the background check and investigation shall be borne by the applicant
126 or the applicant's employing agency.

127 ~~[(3)(a) Notwithstanding Title 77, Chapter 40a, Expungement of Criminal Records,~~
128 ~~regarding expungements, or a similar statute or rule of any other jurisdiction, any~~
129 ~~conviction obtained in this state or other jurisdiction, including a conviction that has~~
130 ~~been expunged, dismissed, or treated in a similar manner to either of these~~
131 ~~procedures, may be considered for purposes of this section.]~~

132 (3)(a) An applicant who has been convicted of a criminal offense for which the applicant

- 133 could have been punished by imprisonment in a federal penitentiary or by
134 imprisonment in the penitentiary of this state or another state may be allowed to take
135 a dispatcher certification examination if:
- 136 (i) the conviction for the criminal offense has been expunged or dismissed, or treated
137 in a similar manner to expungement or dismissal;
 - 138 (ii) the applicant is not a restricted person under Section 76-11-302, Section
139 76-11-303, or federal law;
 - 140 (iii) the criminal offense for which the applicant was convicted was not a violent
141 felony as that term is defined in Section 76-3-203.5;
 - 142 (iv) at least 10 years have passed since the day on which the applicant was convicted
143 of the criminal offense and the applicant has not been convicted of another
144 criminal offense, not including a traffic offense that is a class C misdemeanor or
145 infraction;
 - 146 (v) the applicant meets all other applicable requirements under this section; and
147 (vi) the commissioner, in the commissioner's discretion, has approved the applicant to
148 take the dispatcher certification examination.
- 149 (b) A decision by the commissioner under Subsection (3)(a)(vi) is final and may not be
150 appealed.
- 151 [~~(b)~~] (c) [~~Subsection (3)(a) applies to convictions entered both before and after May 1,~~
152 ~~1995]~~ This Subsection (3) applies to any conviction regardless of the date when the
153 conviction was entered.
- 154 (4) Any background check or background investigation performed under the requirements
155 of this section shall be to determine eligibility for admission to training programs or
156 qualification for certification examinations and may not be used as a replacement for
157 any background investigations that may be required of an employing agency.
- 158 (5) An applicant is considered to be of good moral character under Subsection (1)(e) if the
159 applicant has not engaged in conduct that would be a violation of Subsection 53-6-309(1).

160 **Section 3. Effective Date.**

161 This bill takes effect on May 6, 2026.