

Matt MacPherson proposes the following substitute bill:

**Peace Officer and Dispatcher Standards Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Matt MacPherson**

Senate Sponsor:

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**LONG TITLE**

**General Description:**

This bill addresses standards for peace officers and dispatchers.

**Highlighted Provisions:**

This bill:

▸ allows a peace officer applicant who has an expunged or dismissed disqualifying criminal offense in certain circumstances to be admitted to a certified academy and to take a peace officer certification examination;

▸ allows a dispatcher applicant who has an expunged or dismissed disqualifying criminal offense in certain circumstances to take a dispatcher certification examination; and

▸ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

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

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

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

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

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

(1) Before being accepted for admission to the training programs conducted by a certified academy, and before being allowed to take a certification examination, each applicant for admission or certification examination shall meet the following requirements:

- 30 (a) be:
- 31 (i) a United States citizen;
- 32 (ii) a United States national; or
- 33 (iii) a lawful permanent resident of the United States who:
- 34 (A) has been in the United States legally for the five years immediately before the
- 35 day on which the application is made; and
- 36 (B) has legal authorization to work in the United States;
- 37 (b) be at least:
- 38 (i) 19 years old at the time of certification as a special function officer or correctional
- 39 officer; or
- 40 (ii) 21 years old at the time of certification as a law enforcement officer;
- 41 (c) be a high school graduate or furnish evidence of successful completion of an
- 42 examination indicating an equivalent achievement;
- 43 (d) ~~[have not been convicted of a crime]~~ except as provided in Subsection (3), not have a
- 44 conviction for a criminal offense for which the applicant could have been punished
- 45 by imprisonment in a federal penitentiary or by imprisonment in the penitentiary of
- 46 this or another state, including a conviction that has been expunged or dismissed, or
- 47 treated in a similar manner to expungement or dismissal;
- 48 (e) have demonstrated good moral character, as determined by a background
- 49 investigation;
- 50 (f) be free of any physical, emotional, or mental condition that might adversely affect the
- 51 performance of the applicant's duties as a peace officer; and
- 52 (g) meet all other standards required by POST.
- 53 (2)(a) An application for admission to a training program shall be accompanied by a
- 54 criminal history background check of local, state, and national criminal history files
- 55 and a background investigation.
- 56 (b) The costs of the background check and investigation shall be borne by the applicant
- 57 or the applicant's employing agency.
- 58 ~~[(3)(a) Notwithstanding any expungement statute or rule of any other jurisdiction, any~~
- 59 ~~conviction obtained in this state or other jurisdiction, including a conviction that has~~
- 60 ~~been expunged, dismissed, or treated in a similar manner to either of these~~
- 61 ~~procedures, may be considered for purposes of this section.]~~
- 62 (3)(a) An applicant who has been convicted of a criminal offense for which the applicant
- 63 could have been punished by imprisonment in a federal penitentiary or by

64 imprisonment in the penitentiary of this state or another state may be accepted for  
 65 admission to a training program conducted by a certified academy and allowed to  
 66 take a certification examination if:

67 (i) the conviction for the criminal offense has been expunged or dismissed, or treated  
 68 in a similar manner to expungement or dismissal;

69 (ii) the applicant:

70 (A) is not a restricted person under Section 76-11-302, Section 76-11-303, or  
 71 federal law; and

72 (B) may lawfully possess dangerous weapons;

73 (iii) the criminal offense for which the applicant was convicted was not:

74 (A) a violent felony as that term is defined in Section 76-3-203.5; or

75 (B) a felony offense described in Title 76, Chapter 5, Part 4, Sexual Offenses;

76 (iv) at least 10 years have passed since the day on which the applicant was convicted  
 77 of the criminal offense and the applicant has not been convicted of another  
 78 criminal offense, not including a traffic offense that is a class C misdemeanor or  
 79 infraction; and

80 (v) the applicant meets all other applicable requirements under this section.

81 (b) [~~This provision-~~] This Subsection (3) applies to convictions entered both before and  
 82 after the effective date of this section.

83 (4) Any background check or background investigation performed under the requirements  
 84 of this section shall be to determine eligibility for admission to training programs or  
 85 qualification for certification examinations and may not be used as a replacement for  
 86 any background investigations that may be required of an employing agency.

87 (5) An applicant shall be considered to be of good moral character under Subsection (1)(e)  
 88 if the applicant has not engaged in conduct that would be a violation of Subsection  
 89 53-6-211(1).

90 (6) An applicant seeking certification as a law enforcement officer, as defined in Section  
 91 53-13-103, shall be qualified to possess a firearm under state and federal law.

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

93 **53-6-302 . Applicants for certification examination -- Requirements.**

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

96 (a) be:

97 (i) a United States citizen;

- 98 (ii) a United States national; or
- 99 (iii) a lawful permanent resident of the United States who:
- 100 (A) has been in the United States legally for the five years immediately before the
- 101 day on which the application is made; and
- 102 (B) has legal authorization to work in the United States;
- 103 (b) be 18 years old or older at the time of employment as a dispatcher;
- 104 (c) be a high school graduate or have a G.E.D. equivalent;
- 105 (d) ~~[have not been convicted of a crime]~~ except as provided in Subsection (3), not have a
- 106 conviction for a criminal offense for which the applicant could have been punished
- 107 by imprisonment in a federal penitentiary or by imprisonment in the penitentiary of
- 108 this or another state, including a conviction that has been expunged, dismissed, or
- 109 treated in a similar manner to expungement or dismissal;
- 110 (e) have demonstrated good moral character, as determined by a background
- 111 investigation;
- 112 (f) be free of any physical, emotional, or mental condition that might adversely affect the
- 113 performance of the applicant's duty as a dispatcher; and
- 114 (g) meet all other standards required by POST.
- 115 (2)(a) An application for certification shall be accompanied by a criminal history
- 116 background check of local, state, and national criminal history files and a background
- 117 investigation.
- 118 (b) The costs of the background check and investigation shall be borne by the applicant
- 119 or the applicant's employing agency.
- 120 ~~[(3)(a) Notwithstanding Title 77, Chapter 40a, Expungement of Criminal Records,~~
- 121 ~~regarding expungements, or a similar statute or rule of any other jurisdiction, any~~
- 122 ~~conviction obtained in this state or other jurisdiction, including a conviction that has~~
- 123 ~~been expunged, dismissed, or treated in a similar manner to either of these~~
- 124 ~~procedures, may be considered for purposes of this section.]~~
- 125 (3)(a) An applicant who has been convicted of a criminal offense for which the applicant
- 126 could have been punished by imprisonment in a federal penitentiary or by
- 127 imprisonment in the penitentiary of this state or another state may be allowed to take
- 128 a dispatcher certification examination if:
- 129 (i) the conviction for the criminal offense has been expunged or dismissed, or treated
- 130 in a similar manner to expungement or dismissal;
- 131 (ii) the applicant is not a restricted person under Section 76-11-302, Section

- 132                   76-11-303, or federal law;
- 133                   (iii) the criminal offense for which the applicant was convicted was not:
- 134                   (A) a violent felony as that term is defined in Section 76-3-203.5; or
- 135                   (B) a felony offense described in Title 76, Chapter 5, Part 4, Sexual Offenses;
- 136                   (iv) at least 10 years have passed since the day on which the applicant was convicted
- 137                   of the criminal offense and the applicant has not been convicted of another
- 138                   criminal offense, not including a traffic offense that is a class C misdemeanor or
- 139                   infraction; and
- 140                   (v) the applicant meets all other applicable requirements under this section.
- 141                   (b) [~~Subsection (3)(a) applies to convictions entered both before and after May 1, 1995]~~
- 142                   This Subsection (3) applies to any conviction regardless of the date when the
- 143                   conviction was entered.
- 144                   (4) Any background check or background investigation performed under the requirements
- 145                   of this section shall be to determine eligibility for admission to training programs or
- 146                   qualification for certification examinations and may not be used as a replacement for
- 147                   any background investigations that may be required of an employing agency.
- 148                   (5) An applicant is considered to be of good moral character under Subsection (1)(e) if the
- 149                   applicant has not engaged in conduct that would be a violation of Subsection 53-6-309(1).
- 150                   Section 3. **Effective Date.**
- 151                   This bill takes effect on May 6, 2026.