



# Senate

General Assembly

**File No. 542**

February Session, 2014

Substitute Senate Bill No. 461

*Senate, April 15, 2014*

The Committee on Judiciary reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT CONCERNING PERSONS AUTHORIZED TO SERVE AS ARMED SECURITY GUARDS IN SCHOOLS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-244a of the 2014 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective July 1, 2014*):

4 (a) For the school year commencing July 1, 2013, and each school  
5 year thereafter, no municipality or local or regional board of education  
6 may employ or enter into an agreement, as described in subdivision (2)  
7 of subsection (b) of section 53a-217b, with any person, other than a  
8 sworn member of an organized local police department or a retired  
9 police officer as provided in subsection (b) of this section, to provide  
10 security services in a public school if such person will possess a  
11 firearm, as defined in section 53a-3, while in the performance of his or  
12 her duties.

13 (b) A municipality or a local or regional board of education may

14 employ or enter into an agreement with a retired police officer to  
 15 provide security services in a public school if such retired police officer  
 16 is a qualified retired law enforcement officer, as defined in 18 USC  
 17 926C, as amended from time to time. Such retired police officer shall  
 18 receive annual training pursuant to section 7-294x and shall  
 19 successfully complete annual firearms training provided by a certified  
 20 firearms instructor that meets or exceeds the standards of the Police  
 21 Officer Standards and Training Council or 18 USC 926C, as amended  
 22 from time to time. Such retired police officer shall not be subject to the  
 23 licensing requirements of part II of chapter 534.

24 (c) For the purposes of subsection (b) of this section, "retired police  
 25 officer" means (1) a sworn member of an organized local police  
 26 department who was certified by the Police Officer Standards and  
 27 Training Council and retired or separated in good standing from such  
 28 department or a sworn member of the Division of State Police within  
 29 the Department of Emergency Services and Public Protection who  
 30 retired or separated in good standing from said division, (2) a sworn  
 31 federal law enforcement agent who retired or separated in good  
 32 standing from such federal law enforcement service, or (3) a sworn  
 33 officer of an organized police department in another state who was  
 34 certified under standards that meet or exceed the standards of the  
 35 Police Officer Standards and Training Council for certification in this  
 36 state and who retired or separated in good standing from such  
 37 department.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2014	10-244a

**JUD**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

**Explanation**

The bill, which expands the list of persons who may be employed to provide security services while possessing a firearm at a public school, has no fiscal impact.

**OLR Bill Analysis****sSB 461*****AN ACT CONCERNING PERSONS AUTHORIZED TO SERVE AS ARMED SECURITY GUARDS IN SCHOOLS.*****SUMMARY:**

This bill allows a municipality or board of education to hire or contract with two additional categories of retired police officers to provide armed school security services. These are individuals who are sworn:

1. federal law enforcement agents who retired or separated in good standing from federal law enforcement service or
2. officers from an organized out-of-state police department who (a) are certified under standards that meet or exceed Connecticut's Police Officer Standards Training (POST) Council certification standards and (b) retired or separated in good standing from their department.

In both cases, the individuals must also be "qualified retired law enforcement officers" as defined in the federal Law Enforcement Officers Safety Act (LEOSA) (see BACKGROUND).

The bill does not specify who determines whether a retired officer's out-of-state certification meets or exceeds Connecticut POST Council certification standards.

By law, to be eligible to provide armed school security services, the retired officers must also complete annual (1) public school security personnel training provided by the POST Council and (2) firearms training that meets or exceeds POST Council or LEOSA standards, provided by a certified firearms instructor.

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EFFECTIVE DATE: July 1, 2014

## **BACKGROUND**

### ***Retired Police Officer as Armed School Security***

Current law defines a “retired police officer” who is eligible to provide armed school security as an individual who is a “qualified retired law enforcement officer,” as defined in LEOSA, and is a sworn member of:

1. an organized local police department who was certified by the POST Council and retired or separated in good standing from that department or
2. the Division of State Police within the Department of Emergency Services and Public Protection and retired or separated in good standing from the division (CGS § 10-244a of the 2014 Supplement).

## **LEOSA**

This 2004 federal law governs, among other things, the carrying of firearms by qualified retired law enforcement officers. It defines a “qualified retired law enforcement officer” as an individual who:

1. separated in good standing from service with a public agency as a law enforcement officer;
2. before separation, was allowed by law to engage in, supervise, or incarcerate any person for the prevention, detection, investigation, or prosecution of any law violation;
3. has either (a) served as a law enforcement officer for 10 or more years or (b) separated from service due to a service-related disability;
4. has met, within the past year, firearm training standards for active law enforcement officers established by the former public agency employer, state of residency, or state-certified firearms instructor;

5. has not (a) been found unqualified for active duty by a medical professional due to mental health issues or (b) entered into an agreement with the former public agency employer acknowledging lack of qualification for mental health reasons;
6. is not under the influence of alcohol or an intoxicating or hallucinatory drug or substance; and
7. is not prohibited from receiving a firearm under federal law (18 USC § 926C(c)).

**POST Council Certification Standards**

By law and regulation, the POST Council has the authority establish police certification standards (CGS § 7-294d(5) of the 2014 Supplement; Conn. Agencies Regs. § 7-294e-3). Currently, the council requires candidates to complete 880 hours of basic training before becoming eligible for certification.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea 38 Nay 0 (03/28/2014)