



House of Representatives

General Assembly

File No. 652

January Session, 2023

House Bill No. 6873

House of Representatives, April 18, 2023

The Committee on Judiciary reported through REP. STAFSTROM of the 129th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT REQUIRING THE POLICE OFFICER STANDARDS AND TRAINING COUNCIL TO DEVELOP AND PROMULGATE A MODEL POLICY REQUIRING THE USE OF A SEAT SAFETY BELT FOR ANY PERSON WHO IS BEING TRANSPORTED IN A MUNICIPAL POLICE VEHICLE.

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

1 Section 1. (NEW) (*Effective July 1, 2023*) (a) Not later than December
2 31, 2023, the Police Officer Standards and Training Council established
3 under section 7-294b of the general statutes shall develop and
4 promulgate a model policy that provides guidelines on (1) the required
5 use of a seat safety belt by any person who is being transported in a
6 municipal police vehicle, and (2) standardized procedures to be utilized
7 by a municipal police officer to ensure that any person who is being
8 transported in a municipal police vehicle is secure in such vehicle
9 through the use of a seat safety belt.

10 (b) On and after January 1, 2024, if the chief law enforcement officer
11 of a municipal law enforcement unit finds, through procedures
12 developed pursuant to subsection (g) of section 7-294d of the general

13 statutes, that a municipal police officer has engaged in conduct that
 14 constitutes a violation of the policy established pursuant to subsection
 15 (a) of this section and that such violation undermines public confidence
 16 in the municipal law enforcement unit, the chief law enforcement officer
 17 shall report such violation to the Police Officer Standards and Training
 18 Council. Said council shall thereafter conduct a de novo review of the
 19 matter. Whenever the council believes there is a reasonable basis for
 20 suspension, cancellation or revocation of the certification of a municipal
 21 police officer due to the reported violation, the council shall give notice
 22 and an adequate opportunity for a hearing to such officer prior to such
 23 suspension, cancellation or revocation. Such hearing shall be conducted
 24 in accordance with the provisions of chapter 54 of the general statutes.
 25 If the council finds by clear and convincing evidence that a violation of
 26 this section has occurred, the council may suspend, revoke or cancel the
 27 certificate of the certificate holder in accordance with the provisions of
 28 section 7-294d of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2023	New section

JUD *Joint Favorable*

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.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill requires the Police Officer Standards and Training Council (POST) to develop a model policy for the use of seat belts in municipal police vehicles and outlines disciplinary procedures for violations of the policy, resulting in no fiscal impact to the state as POST has the expertise to meet the bill's requirements.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 6873*****AN ACT REQUIRING THE POLICE OFFICER STANDARDS AND TRAINING COUNCIL TO DEVELOP AND PROMULGATE A MODEL POLICY REQUIRING THE USE OF A SEAT SAFETY BELT FOR ANY PERSON WHO IS BEING TRANSPORTED IN A MUNICIPAL POLICE VEHICLE.*****SUMMARY**

This bill requires the Police Officer Standards and Training Council (POST), by December 31, 2023, to develop and promulgate a model policy that provides guidelines on required seat belt use in municipal police vehicles and standardized procedures for municipal police officers to ensure that anyone being transported in their vehicles is secured by a seat belt.

Under the bill, starting January 1, 2024, if a municipal law enforcement unit's chief law enforcement officer finds, through existing POST-developed procedures, that a municipal police officer's actions constitute a violation of the policy the bill establishes and the violation undermines public confidence in the municipal law enforcement unit, the chief law enforcement officer must report the violation to POST, which must then do a de novo review (a new, independent review) of the matter.

Whenever POST believes there is a reasonable basis for suspending, canceling, or revoking a municipal officer's certification because of the reported violation, the council must give the officer notice and an adequate opportunity for a hearing before he or she is disciplined. The hearing must be done following the Uniform Administrative Procedure Act. If POST finds by clear and convincing evidence that a violation of the bill has occurred, it may suspend, revoke, or cancel the officer's certificate.

EFFECTIVE DATE: July 1, 2023

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 37 Nay 0 (03/31/2023)