

POST COUNCIL

LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting (5-4-105, MCA; [Chapter 309, Laws of 2017](#)). The history must include related legislation introduced over the last five sessions and hyperlinks to the bill, hearing information, and fiscal notes. The legislation links below open to the page showing the status and history of bills introduced on this topic in the past. The bill text and any related fiscal notes can be accessed through the link at the top of that page.

Legislation can be complex, and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.

Background Materials and Research

Topic Summary: The Public Safety Officer Standards and Training (POST) Council is a quasi-judicial board that, per [Title 44, Chapter 4, Part 4, MCA](#) is responsible for establishing employment and training standards for “public safety officers” as defined in [44-4-401, MCA](#). The Council is also tasked with providing for officers’ certification and recertification, as well as the suspension and revocation of certifications.

No national governing body sets employment standards or training requirements for peace officers, but Montana is one of many states that provides for this by delegating authority to a POST Council. The Council promulgates [Administrative Rules](#) detailing training standards for various levels of certification that may be achieved. Proposed legislation related to the POST Council over the last ten years has focused on clarifying POST’s duties in relation to public and private entities, revising processes and timelines for certain groups to obtain certification, and changing the council’s affiliation and reporting structure within state government.

Legislative Services Division Materials: None

Other Materials:

[POST Information & Resource Guide](#) – POST Council, July 2023.

[Developments in Law Enforcement Officer Certification and Decertification](#) – Brief from NCSL, February 2023.

Introduced Legislation

*Chapter number assigned means bill was passed and approved.

2023

[HB 77](#) Chapter Number Assigned. AN ACT REVISING LAWS RELATED TO PUBLIC SAFETY OFFICER APPOINTING AUTHORITIES; AMENDING SECTION 44-4-404, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[HB 78](#) Chapter Number Assigned. AN ACT REVISING LAWS RELATED TO PUBLIC SAFETY OFFICER APPOINTING AUTHORITIES; AMENDING SECTION 44-4-404, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE.

[HB 697](#) Chapter Number Assigned. AN ACT GENERALLY REVISING LAWS RELATED TO THE PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL; PROVIDING REPORTING REQUIREMENTS; REQUIRING AN INTERIM STUDY OF THE STAFFING, STRUCTURE, AND DUTIES OF THE PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL; PROVIDING THAT CERTAIN SPECIAL REVENUE ACCOUNT FUNDS ARE USED TO SUPPORT THE PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL; AMENDING SECTION 44-10-204, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE.

[HB 802](#) Chapter Number Assigned. AN ACT REVISING LAWS RELATED TO REVOKING PEACE OFFICER CERTIFICATION; PROVIDING THAT A PEACE OFFICER'S CERTIFICATION MAY NOT BE REVOKED SOLELY ON THE BASIS OF A MENTAL ILLNESS; AND AMENDING SECTION 44-4-403, MCA

[SB 443](#) Chapter Number Assigned. AN ACT ADDING A MISDEMEANOR PROBATION OFFICER TO THE MEMBERSHIP OF THE MONTANA PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL; AMENDING SECTION 44-4-402, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

2021

[HB 28](#) Chapter Number Assigned. AN ACT ELIMINATING THE REQUIREMENT FOR THE BOARD OF CRIME CONTROL TO HEAR APPEALS FROM DECISIONS MADE BY THE PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL; AMENDING SECTIONS 44-4-403 AND 44-7-101, MCA; AND PROVIDING AN EFFECTIVE DATE.

[HB 693](#) Chapter Number Assigned. AN ACT IMPLEMENTING PROVISIONS OF THE GENERAL APPROPRIATIONS ACT; PROVIDING FOR REPORTING REQUIREMENTS FOR THE DEPARTMENT OF CORRECTIONS; PROVIDING FOR REPORTING REQUIREMENTS FOR THE OFFICE OF STATE PUBLIC DEFENDER; PROVIDING FOR REPORTING REQUIREMENTS FOR THE DEPARTMENT OF JUSTICE; PROVIDING FOR REPORTING REQUIREMENTS FOR THE OFFICE OF COURT ADMINISTRATOR; PROVIDING FOR LEGISLATIVE INTENT; PROVIDING FOR AN ADDITIONAL JUDGE TO THE 11TH AND THE 18TH JUDICIAL DISTRICTS; EXTENDING THE PUBLIC SAFETY OFFICER STANDARDS AND TRAINING BUREAU; TRANSFERRING ADMINISTRATION OF 9-1-1 FUNDS FROM THE DEPARTMENT OF ADMINISTRATION TO THE DEPARTMENT OF JUSTICE; GRANTING CONSENT TO DISCONTINUE THE CONTRACT WITH THE GREAT FALLS REGIONAL PRISON; PROVIDING NOTIFICATION OF DISCHARGE ELIGIBILITY; PROVIDING FOR A TRANSFER OF FUNDS; ALLOWING A DRIVER TO RENEW A DRIVER'S LICENSE WHEN APPLYING FOR A REAL ID-COMPLIANT LICENSE; REDUCING FEES FOR A REAL ID-COMPLIANT DRIVER'S LICENSE OR IDENTIFICATION CARD REQUESTED PRIOR TO RENEWAL;

REVISING FUNDING FOR THE MOTOR VEHICLE INFORMATION TECHNOLOGY SYSTEM ACCOUNT; AMENDING SECTIONS 3-5-102, 10-4-101, 10-4-105, 10-4-304, 44-7-204, 46-23-1011, 61-3-103, 61-3-109, 61-3-203, 61-5-111, AND 61-5-129, MCA; AMENDING SECTION 23, CHAPTER 456, LAWS OF 2019; AND PROVIDING EFFECTIVE DATES.

[SR 49](#) Filed with Secretary of State. A RESOLUTION OF THE SENATE OF THE STATE OF MONTANA CONCURRING IN, CONFIRMING, AND CONSENTING TO THE APPOINTMENTS TO THE MONTANA PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL MADE BY THE GOVERNOR AND SUBMITTED BY WRITTEN COMMUNICATION DATED JANUARY 14, 2021, TO THE SENATE.

2019

[HB 96](#) Died in Standing Committee. AN ACT ELIMINATING THE REQUIREMENT FOR THE BOARD OF CRIME CONTROL TO HEAR APPEALS FROM DECISIONS MADE BY THE PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL; AND AMENDING SECTIONS 44-4-403 AND 44-7-101, MCA

[HB 97](#) Died in Process. AN ACT GENERALLY REVISING PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL LAWS; REVISING THE DEFINITION OF "PUBLIC SAFETY OFFICER"; REVISING COUNCIL DUTIES AND RULEMAKING AUTHORITY; ALLOWING THE COUNCIL TO DELEGATE CERTAIN RESPONSIBILITIES TO STAFF; REVISING LAWS RELATED TO THE SUSPENSION OR REVOCATION OF A PUBLIC SAFETY OFFICER'S CERTIFICATION; REVISING DUTIES OF APPOINTING AUTHORITIES; PROVIDING A PENALTY FOR A VIOLATION OF CERTAIN PUBLIC SAFETY OFFICER CERTIFICATION REQUIREMENTS; AND AMENDING SECTIONS 44-4-401, 44-4-403, AND 44-4-404, MCA.

[HB 98](#) Chapter Number Assigned. AN ACT GENERALLY REVISING PEACE OFFICER STANDARDS AND CERTIFICATION LAWS; REVISING CERTIFICATION LAWS FOR PEACE OFFICERS ON ACTIVE RESERVE STATUS; REVISING THE RULEMAKING AUTHORITY OF THE PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL; REVISING DUTIES OF APPOINTING AUTHORITIES; REVISING PENALTIES FOR A PEACE OFFICER WHOSE BASIC CERTIFICATE IS SUSPENDED; AND AMENDING SECTIONS 7-32-240 AND 7-32-303, MCA.

[HB 99](#) Chapter Number Assigned. AN ACT REVISING LAWS RELATED TO THE EDUCATION REQUIREMENT FOR COUNTY CORONERS AND DEPUTY CORONERS; AND AMENDING SECTIONS 7-4-2901, 7-4-2904, AND 7-4-2905, MCA.

[SB 220](#) Chapter Number Assigned. AN ACT GENERALLY REVISING LAWS RELATED TO PROBATION; CLARIFYING THAT A LOCAL GOVERNMENT HAS THE AUTHORITY TO CONTRACT WITH A PRIVATE MONTANA ENTITY FOR MISDEMEANOR PROBATION SERVICES; PROVIDING THAT ONLY PUBLICLY EMPLOYED PROBATION OFFICERS MAY MAKE ARRESTS; AND AMENDING SECTIONS 46-23-1001 AND 46-23-1005, MCA.

[SB 348](#) Died in Standing Committee. AN ACT GENERALLY REVISING LAWS RELATING TO PROBATION AND PRETRIAL SERVICES; PROVIDING THAT MISDEMEANOR PROBATION OFFICERS AND PRETRIAL SERVICES OFFICERS ARE PUBLIC SAFETY OFFICERS FOR THE PURPOSES OF CERTAIN STANDARDS SET BY THE MONTANA PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL; REQUIRING THE COUNCIL TO ADOPT STANDARDS FOR MISDEMEANOR PROBATION OFFICERS AND PRETRIAL

SERVICES OFFICERS; REVISING EDUCATION AND ONGOING TRAINING REQUIREMENTS FOR MISDEMEANOR PROBATION OFFICERS AND PRETRIAL SERVICES OFFICERS; PROVIDING FOR OFFICER TRAINING; PROVIDING FOR PAYMENT OF TRAINING COSTS AND A TRAINING FEE; AND AMENDING SECTIONS 44-4-401 AND 46-23-1003, MCA.

2017

[HB 94](#) Vetoed by Governor. AN ACT GENERALLY REVISING PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL LAWS; CLARIFYING EDUCATION REQUIREMENTS FOR COUNTY CORONERS AND DEPUTY CORONERS; REVISING PEACE OFFICER EMPLOYMENT, EDUCATION, AND CERTIFICATION STANDARDS; REVISING COUNCIL DUTIES; REVISING LAWS RELATED TO THE SUSPENSION OR REVOCATION OF A PUBLIC SAFETY OFFICER'S CERTIFICATION; REVISING DUTIES OF APPOINTING AUTHORITIES; PROVIDING A PENALTY FOR A VIOLATION OF CERTAIN PUBLIC SAFETY OFFICER CERTIFICATION REQUIREMENTS; PROVIDING REQUIREMENTS FOR PRETRIAL SERVICES OFFICERS; CLARIFYING TRAINING REQUIREMENTS FOR PROBATION AND PAROLE OFFICERS EMPLOYED BY THE DEPARTMENT OF CORRECTIONS; EXTENDING THE BOARD'S RULEMAKING AUTHORITY; AND AMENDING SECTIONS 7-4-2901, 7-4-2904, 7-4-2905, 7-32-240, 7-32-303, 44-4-401, 44-4-403, 44-4-404, 46-9-108, 46-9-505, 46-23-1001, 46-23-1003, 46-23-1005, AND 46-23-1012, MCA.

[SR 50](#) Filed with Secretary of State. A RESOLUTION OF THE SENATE OF THE STATE OF MONTANA CONCURRING IN, CONFIRMING, AND CONSENTING TO THE APPOINTMENTS TO THE MONTANA PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL MADE BY THE GOVERNOR AND SUBMITTED BY WRITTEN COMMUNICATION DATED MARCH 3, 2017, TO THE SENATE.

2015

[HB 100](#) Chapter Number Assigned. AN ACT REVISING THE DUTIES OF THE PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL RELATED TO CERTIFICATION OF PUBLIC SAFETY OFFICERS; REMOVING REFERENCES TO THE GENERAL EDUCATIONAL DEVELOPMENT TEST; ALLOWING CERTAIN MENTAL HEALTH PROFESSIONALS TO EXAMINE AND EVALUATE THE MENTAL HEALTH OF A PEACE OFFICER CANDIDATE; ALLOWING SUBSTITUTION OF A STANDARDIZED MENTAL HEALTH EVALUATION INSTRUMENT FOR THE MENTAL HEALTH EXAMINATION; REVISING CERTAIN COURSE REQUIREMENTS; REMOVING APPLICATION REQUIREMENTS BEFORE THE COUNCIL ISSUES A CERTIFICATE TO A PUBLIC SAFETY OFFICER WHO MEETS CERTAIN EDUCATIONAL AND PROBATIONARY REQUIREMENTS; ESTABLISHING THE COUNCIL AS A CRIMINAL JUSTICE AGENCY FOR THE PURPOSES OF THE MONTANA CRIMINAL JUSTICE INFORMATION ACT; AMENDING SECTIONS 7-32-303 AND 44-4-403, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

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