

CERTIFICATION OF EMERGENCY RULES
FILED WITH LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR

Pursuant to Code of Alabama 1975, §§41-22-5(b) and 41-22-6(c)(2)a. and b.

I certify that the attached emergency (amendment, new rule, new chapter, repeal or adoption by reference) is a correct copy as promulgated and adopted on the 27th day of July, 2020.

AGENCY NAME: **Alabama Peace Officers' Standards and Training Commission**

RULE NO. AND TITLE: **650-X-2-.01.02ER; Training during the COVID-19 State of Emergency**

EFFECTIVE DATE OF RULE: July 27, 2020

EXPIRATION DATE (If less than 120 days):

NATURE OF EMERGENCY:

This action is proposed to refile an emergency rule to comply with Code of Alabama 1975, §§36-21-40 et seq., and to further define the requirements for the Training of Law Enforcement Officer Applicants in response to ongoing COVID-19 pandemic. The Commission could not have reasonably anticipated that the emergency underlying this rule would continue past the original 120 day timeline.

STATUTORY AUTHORITY: Code of Alabama 1975, §§36-21-40 et seq.

SUBJECT OF RULE TO BE ADOPTED ON PERMANENT BASIS ___ YES X NO

NAME, ADDRESS, AND TELEPHONE NUMBER OF PERSON TO CONTACT FOR COPY OF RULE:


Chief R. Alan Benefield
100 North Union Street, Suite 600
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REC'D & FILED

JUL 27 2020

LEGISLATIVE SVC AGENCY

FILING DATE
(For APA Use Only)



R. Alan Benefield, Executive Secretary

650-X-2-.01.02ER Training during the COVID-19 State of Emergency. Due to the ongoing state of emergency resulting from COVID-19, this Emergency Rule shall be effective for a minimum of 120 days unless extended by supplemental emergency proclamation by the Governor.

(1) The Commission authorizes its Executive Secretary to suspend the enforcement of the statutory and regulatory requirements relating to provisionally appointed law enforcement officers completing certification training within six months of his or her provisional appointment. Specifically, relating to the six (6) month provisional appointment time for applicants, this emergency rule authorizes the Executive Secretary to waive the six month (180 days) requirement for provisionally appointed law enforcement officers to complete certification training and allow them to remain in their provisional appointment. A provisionally appointed officer, and their employing agency, is required to continue to submit their application for training and certification with the Commission. All other rules and regulations relating to the provisional appointment of law enforcement officers shall remain in effect. Nothing in this emergency rule shall be construed to allow any person to perform the duties and functions of a certified law enforcement officer in the State of Alabama prior to valid certification by the Commission.

(2) During the State of Emergency, the Commission authorizes the Executive Secretary to make emergency modifications to the academy curriculum as is deemed necessary in order to facilitate the training and certification of law enforcement applicants and appointees.

Author: R. Alan Benefield, Executive Secretary

Statutory Authority: Code of Ala. 1975, §§36-21-40 et seq.

History: Effective July 27, 2020.