

HOUSE BILL NO. 78

INTRODUCED BY S. GALLOWAY

BY REQUEST OF THE PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO PUBLIC SAFETY OFFICER  
APPOINTING AUTHORITIES; ~~AND AMENDING SECTION 44-4-404, MCA; AND PROVIDING AN IMMEDIATE~~  
EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 44-4-404, MCA, is amended to read:

**"44-4-404. Appointing authority responsible for applying standards.** (1) It is the responsibility of a  
public safety officer's appointing authority to apply the employment standards and training criteria established  
by the council pursuant to this part, including but not limited to requiring the successful completion of minimum  
training standards within 1 year of the public safety officer's hire date and terminating the employment of a  
public safety officer for failure to meet the minimum standards established by the council pursuant to this part.

(2) (a) If a public safety officer WHO HAS NOT YET COMPLETED THE MINIMUM TRAINING STANDARDS IS  
ordered to state or federal military duty within 1 year of the officer's hire date, the officer's employing agency  
shall notify the council within 10 days of the officer's departure for military duty. The public safety officer's 1-  
year period to complete minimum training standards must be stayed.

(b) Within 10 days of the public safety officer's return to the employing agency from military duty,  
the officer's employing agency shall notify the council. The public safety officer's 1-year period to complete  
minimum training standards must then resume."

**NEW SECTION. SECTION 2. EFFECTIVE DATE.** [THIS ACT] IS EFFECTIVE ON PASSAGE AND APPROVAL.

**NEW SECTION. SECTION 3. RETROACTIVE APPLICABILITY.** [THIS ACT] APPLIES RETROACTIVELY, WITHIN  
THE MEANING OF 1-2-109, TO A PUBLIC SAFETY OFFICE WITHIN 1 YEAR OF THE OFFICER'S HIRE DATE WHO WAS ORDERED

1 TO STATE OR FEDERAL MILITARY DUTY ON OR AFTER JULY 1, 2022.

2 - END -