

REFERENCE TITLE: peace officer certification; alternative pathway

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SB 1107

Introduced by
Senator Petersen

AN ACT

AMENDING SECTIONS 38-884 AND 41-1822, ARIZONA REVISED STATUTES; RELATING
TO THE ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 38-884, Arizona Revised Statutes, is amended to
3 read:

4 38-884. Membership of retirement plan; termination; credited
5 service; redemption; reemployment

6 A. Each employee of a participating employer is a member of the
7 plan unless the employee is receiving a pension from the plan. A person
8 employed shall undergo a medical examination performed by a designated
9 physician or a physician working in a clinic that is appointed by the
10 local board or, in the case of a state correctional officer who is
11 employed by the state department of corrections, complete a physical
12 examination pursuant to section 41-1822, subsection ~~B~~ D. For the
13 purposes of subsection B of this section, the designated physician or a
14 physician working in a clinic that is appointed by the local board may be
15 the employer's regular employee or contractor.

16 B. The purpose of the medical examination authorized by this
17 section is to identify a member's physical or mental condition or injury
18 that existed or occurred before the member's date of membership in the
19 plan. Any employee who fails or refuses to submit to the medical
20 examination prescribed in this section is deemed to waive all rights to
21 disability benefits under this article. Medical examinations conducted
22 under this article shall be conducted by a physician and shall not be
23 conducted or used for purposes of hiring, advancing, discharging, job
24 training or other terms, conditions and privileges of employment unrelated
25 to receipt or qualification for pension benefits or service credits from
26 the fund. This subsection does not affect or impair the right of an
27 employer to prescribe medical or physical standards for employees or
28 prospective employees.

29 C. If a member who becomes a member of the plan before January 1,
30 2012 ceases to be an employee for any reason other than death or
31 retirement, within twenty days after filing a completed application with
32 the board, the member is entitled to receive the following amounts, less
33 any benefit payments the member has received and any amount the member may
34 owe to the plan:

35 1. If the member has less than five years of credited service with
36 the plan, the member may withdraw the member's accumulated contributions
37 from the plan.

38 2. If the member has five or more years of credited service with
39 the plan, the member may withdraw the member's accumulated contributions
40 plus an amount equal to the amount determined as follows:

41 (a) 5.0 to 5.9 years of credited service, twenty-five percent of
42 all member contributions deducted from the member's salary pursuant to
43 section 38-891, subsection B.

1 (b) 6.0 to 6.9 years of credited service, forty percent of all
2 member contributions deducted from the member's salary pursuant to section
3 38-891, subsection B.

4 (c) 7.0 to 7.9 years of credited service, fifty-five percent of all
5 member contributions deducted from the member's salary pursuant to section
6 38-891, subsection B.

7 (d) 8.0 to 8.9 years of credited service, seventy percent of all
8 member contributions deducted from the member's salary pursuant to section
9 38-891, subsection B.

10 (e) 9.0 to 9.9 years of credited service, eighty-five percent of
11 all member contributions deducted from the member's salary pursuant to
12 section 38-891, subsection B.

13 (f) 10.0 or more years of credited service, one hundred percent of
14 all member contributions deducted from the member's salary pursuant to
15 section 38-891, subsection B.

16 D. If a member who becomes a member of the plan before January 1,
17 2012 has more than ten years of credited service with the plan, leaves the
18 monies prescribed in subsection C of this section on account with the plan
19 for more than thirty days after termination of employment and after that
20 time period requests a refund of those monies, the member is entitled to
21 receive the amount prescribed in subsection C of this section plus
22 interest at a rate determined by the board for each year computed from and
23 after the member's termination of employment.

24 E. The accumulated member contributions of a member who ceases to
25 be an employee for a reason other than death or retirement and who becomes
26 a member of the plan:

27 1. On or after January 1, 2012 and before July 1, 2018 shall be
28 paid to the member plus interest at a rate determined by the board as of
29 the date of termination within twenty days after filing with the plan a
30 written application for payment.

31 2. For a member who has less than ten years of credited service
32 with the plan, on or after July 1, 2018 shall be paid to the member plus
33 interest at a rate determined by the board as of the date of termination
34 within twenty days after filing with the plan a written application for
35 payment.

36 F. If the refund includes monies that are an eligible rollover
37 distribution and the member elects to have the distribution paid directly
38 to an eligible retirement plan or individual retirement account or annuity
39 and specifies the eligible retirement plan or individual retirement
40 account or annuity to which the distribution is to be paid, the
41 distribution shall be made in the form of a direct trustee-to-trustee
42 transfer to the specified eligible retirement plan. The distribution
43 shall be made in the form and at the time prescribed by the board.

44 G. For distributions occurring from and after December 31, 2007, a
45 member or a member's beneficiary, including a nonspouse designated

1 beneficiary to the extent allowed under subsection H of this section, may
2 roll over an eligible rollover distribution as defined in section
3 402(c)(4) of the internal revenue code to a Roth individual retirement
4 account, if, for distributions occurring before January 1, 2010, the
5 member or the member's beneficiary satisfies the requirements for making a
6 Roth individual retirement account contribution under section
7 408A(c)(3)(B) of the internal revenue code, as in effect on the date of
8 the rollover. Any amount rolled over to a Roth individual retirement
9 account is included in the gross income of the member or the member's
10 beneficiary to the extent the amounts would have been included in gross
11 income if not rolled over as required under section 408A(d)(3)(A) of the
12 internal revenue code. For the purposes of this subsection, the
13 administrator is not responsible for ensuring the member or the member's
14 beneficiary is eligible to make a rollover to a Roth individual retirement
15 account.

16 H. For distributions made from and after December 31, 2009, a
17 nonspouse designated beneficiary as defined in section 401(a)(9)(E) of the
18 internal revenue code may elect to directly roll over an eligible rollover
19 distribution to an individual retirement account under section 408(a) of
20 the internal revenue code or an individual retirement annuity under
21 section 408(b) of the internal revenue code that is established on behalf
22 of the designated beneficiary and that will be treated as an inherited
23 individual retirement plan pursuant to section 402(c)(11) of the internal
24 revenue code. In order to be able to roll over the distribution, the
25 distribution otherwise must satisfy the definition of an eligible rollover
26 distribution as defined in section 402(c)(4) of the internal revenue
27 code. In applying this subsection, a nonspouse rollover is subject to the
28 direct rollover requirements under section 401(a)(31) of the internal
29 revenue code, the rollover notice requirements under section 402(f) of the
30 internal revenue code and the mandatory withholding requirements under
31 section 3405(c) of the internal revenue code.

32 I. For plan years occurring before January 1, 2007, the period for
33 providing the rollover notice as required under section 402(f) of the
34 internal revenue code is not less than thirty days and not more than
35 ninety days before the date of distribution and, for plan years beginning
36 from and after December 31, 2006, the period for providing the rollover
37 notice as required under section 402(f) of the internal revenue code is
38 not less than thirty days and not more than one hundred eighty days before
39 the date of distribution.

40 J. Service shall be credited to a member's individual credited
41 service account in accordance with rules the local board prescribes. In
42 no case shall more than twelve months of credited service be credited on
43 account of all service rendered by a member in any one year. In no case
44 shall service be credited for any period during which the member is not

1 employed in a designated position, except as provided by sections 38-921
2 and 38-922.

3 K. Credited service is forfeited if the amounts prescribed in
4 subsection C, D or E of this section are paid or are transferred in
5 accordance with this section.

6 L. If a former member becomes reemployed with the same employer
7 within two years after the former member's termination date, a member may
8 have forfeited credited service attributable to service rendered during a
9 prior period of service as an employee restored on satisfaction of each of
10 the following conditions:

11 1. The member files with the plan a written application for
12 reinstatement of forfeited credited service within ninety days after again
13 becoming an employee.

14 2. The retirement fund is paid the total amount previously
15 withdrawn pursuant to subsection C, D or E of this section plus compound
16 interest from the date of withdrawal to the dates of repayment. Interest
17 shall be computed at the rate of nine percent for each year compounded
18 each year from the date of withdrawal to the date of repayment. Forfeited
19 credited service shall not be restored until complete payment is received
20 by the fund.

21 3. The required payment is completed within one year after
22 returning to employee status.

23 M. If a member who receives a severance refund on termination of
24 employment pursuant to subsection C, D or E of this section is
25 subsequently reemployed by an employer, the member's prior service credits
26 are cancelled, and the board shall credit service only from the date the
27 member's most recent reemployment period commenced. A present active
28 member of the plan who received a refund of accumulated contributions from
29 the plan pursuant to subsection C, D or E of this section, forfeited
30 credited service pursuant to subsection K of this section and becomes
31 reemployed with the same employer two years or more after the member's
32 termination date or becomes reemployed with another employer may elect to
33 redeem any part of that forfeited credited service by paying into the plan
34 any amounts required pursuant to this subsection. A present active member
35 who elects to redeem any part of forfeited credited service for which the
36 member is deemed eligible by the board shall pay into the plan the amounts
37 previously paid or transferred as a refund of the member's accumulated
38 contributions plus an amount, computed by the plan's actuary that is
39 necessary to equal the increase in the actuarial present value of
40 projected benefits resulting from the redemption calculated using the
41 actuarial methods and assumptions prescribed by the plan's actuary. On
42 satisfaction of this obligation, the board shall reinstate the member's
43 prior service credits.

44 N. A retired member may become employed by the employer from which
45 the employee retired in a designated position and continue to receive a

1 pension if the employment occurs at least six months after retirement.
 2 The retired member shall not contribute to the fund and shall not accrue
 3 credited service. If a retired member becomes employed by the employer
 4 from which the employee retired in a designated position, including in a
 5 contracted or leased position, before six months after retirement, the
 6 following apply:

7 1. Payment of the retired member's pension shall be suspended until
 8 the retired member again ceases to be an employee. The amount of pension
 9 shall not be changed on account of service as an employee subsequent to
 10 retirement.

11 2. The retired member shall not contribute to the fund and shall
 12 not accrue credited service.

13 3. Any pension payments received by a retired member, who retired
 14 on or after July 1, 2009, during a period of reemployment are considered
 15 overpayments pursuant to section 38-899. If the board determines in the
 16 board's sole discretion, for a member who retired on or after July 1,
 17 2009, that the retired member's reemployment during the six-month period
 18 and the failure of the employer or the local board to suspend the member's
 19 pension were not intentional to circumvent the requirements of this
 20 subsection, the pension payments received by the retired member during
 21 reemployment are subject to repayment up to only the amount received
 22 between the date of the member's reemployment and the expiration of the
 23 six-month period.

24 4. If a retired member who retired on or after July 1, 2009 and who
 25 is reemployed terminates employment, the retired member may be
 26 subsequently reemployed with the employer from which the member retired in
 27 a designated position and resume receiving pension payments after a period
 28 of six months, less the period of time the retired member was not
 29 reemployed by the employer from which the member retired in a designated
 30 position after retirement, if at least sixty days of the six months are
 31 consecutive.

32 0. Notwithstanding any other provision of this article, a member
 33 who retires having met all of the qualifications for retirement and who
 34 subsequently becomes an elected official, by election or appointment, is
 35 not considered reemployed by the same employer.

36 Sec. 2. Section 41-1822, Arizona Revised Statutes, is amended to
 37 read:

38 41-1822. Powers and duties of board; definition

39 A. With respect to peace officer training and certification, the
 40 board shall:

41 1. Establish rules for the government and conduct of the board,
 42 including meeting times and places and matters to be placed on the agenda
 43 of each meeting.

1 2. Make recommendations, consistent with this article, to the
2 governor, the speaker of the house of representatives and the president of
3 the senate on all matters relating to law enforcement and public safety.

4 3. Prescribe reasonable minimum qualifications for officers to be
5 appointed to enforce the laws of this state and the political subdivisions
6 of this state and certify officers in compliance with these
7 qualifications. Notwithstanding any other law, the qualifications shall
8 require United States citizenship, shall relate to physical, mental and
9 moral fitness and shall govern the recruitment, appointment and retention
10 of all agents, peace officers and police officers of every political
11 subdivision of this state. The board shall constantly review the
12 qualifications established by this section and may amend the
13 qualifications at any time, subject to the requirements of section
14 41-1823.

15 4. Prescribe minimum courses of training and minimum standards for
16 training facilities for law enforcement officers. Only this state and
17 political subdivisions of this state may conduct basic peace officer
18 training. Basic peace officer academies may admit individuals who are not
19 peace officer cadets only if a cadet meets the minimum qualifications
20 established by paragraph 3 of this subsection. Training shall include:

21 (a) Courses in responding to and reporting all criminal offenses
22 that are motivated by race, color, religion, national origin, sexual
23 orientation, gender or disability.

24 (b) Training certified by the director of the department of health
25 services with assistance from a representative of the board on the nature
26 of unexplained infant death and the handling of cases involving the
27 unexplained death of an infant.

28 (c) Medical information on unexplained infant death for first
29 responders, including awareness and sensitivity in dealing with families
30 and child care providers, and the importance of forensically competent
31 death scene investigations.

32 (d) Information on the protocol of investigation in cases of an
33 unexplained infant death, including the importance of a consistent policy
34 of thorough death scene investigation.

35 (e) The use of the infant death investigation checklist pursuant to
36 section 36-3506.

37 (f) If an unexplained infant death occurs, the value of timely
38 communication between the medical examiner's office, the department of
39 health services and appropriate social service agencies that address the
40 issue of infant death and bereavement, to achieve a better understanding
41 of these deaths and to connect families to various community and public
42 health support systems to enhance recovery from grief.

43 5. Recommend curricula for advanced courses and seminars in law
44 enforcement and intelligence training in universities, colleges and

community colleges, in conjunction with the governing body of the educational institution.

6. Make inquiries to determine whether this state or political subdivisions of this state are adhering to the standards for recruitment, appointment, retention and training established pursuant to this article. The failure of this state or any political subdivision to adhere to the standards shall be reported at the next regularly scheduled meeting of the board for action deemed appropriate by that body.

7. Employ an executive director and other staff as are necessary to fulfill the powers and duties of the board in accordance with the requirements of the law enforcement merit system council.

8. BEGINNING JANUARY 1, 2027, ESTABLISH AN ALTERNATIVE PATHWAY FOR PEACE OFFICER CERTIFICATION IN THIS STATE FOR ANY OF THE FOLLOWING TYPES OF APPLICANTS:

(a) VETERANS OF THE UNITED STATES ARMED FORCES WHO ARE HONORABLY DISCHARGED.

(b) FORMER MILITARY POLICE OFFICERS OR INDIVIDUALS WHO SERVED IN A SUBSTANTIALLY SIMILAR CAPACITY.

B. THE ALTERNATIVE PATHWAY FOR PEACE OFFICER CERTIFICATION THAT IS ESTABLISHED PURSUANT TO SUBSECTION A, PARAGRAPH 8 OF THIS SECTION SHALL DO ALL OF THE FOLLOWING:

1. ACCEPT AN APPLICANT'S EXISTING MILITARY POLICE TRAINING AND EXPERIENCE TOWARD THE ARIZONA PEACE OFFICER STANDARDS AND TRAINING REQUIREMENTS OF THIS STATE.

2. ALLOW ELIGIBLE APPLICANTS TO COMPLETE AN ABBREVIATED ARIZONA PEACE OFFICER STANDARDS AND TRAINING PROGRAM THAT FOCUSES ON THE LAWS, PROCEDURES AND COMMUNITY POLICING REQUIREMENTS OF THIS STATE.

3. REQUIRE APPLICANTS TO PASS THE BOARD-APPROVED CERTIFICATION EXAMINATION ON PEACE OFFICER PROCEDURES AND THE LAWS OF THIS STATE AND MAINTAIN ALL CURRENT STATUTORY REQUIREMENTS RELATING TO MORAL CHARACTER, MEDICAL AND PSYCHOLOGICAL FITNESS AND BACKGROUND INVESTIGATIONS.

C. ALL ELIGIBLE APPLICANTS SHALL SUBMIT AN APPLICATION ON A FORM PRESCRIBED BY THE BOARD FOR THE ALTERNATIVE PATHWAY FOR PEACE OFFICER CERTIFICATION ESTABLISHED PURSUANT TO SUBSECTION A OF THIS SECTION AND THE BOARD SHALL PROCESS ALL APPLICATIONS WITHIN SIXTY DAYS AFTER RECEIVING A COMPLETED APPLICATION.

~~B.~~ D. With respect to state department of corrections correctional officers, the board shall:

1. Approve a basic training curriculum of at least two hundred forty hours.

2. Establish uniform minimum standards. These standards shall include high school graduation or the equivalent and a physical examination as prescribed by the director of the state department of corrections.

3. Establish uniform standards for background investigations, including criminal histories under section 41-1750, of all applicants before enrolling in the academy. The board may adopt special procedures for extended screening and investigations in extraordinary cases to ensure suitability and adaptability to a career as a correctional officer.

4. Issue a certificate of completion to any state department of corrections correctional officer who satisfactorily complies with the minimum standards and completes the basic training program. The board may issue a certificate of completion to a state department of corrections correctional officer who has received comparable training in another state if the board determines that the training was at least equivalent to that provided by the academy and if the person complies with the minimum standards.

5. Establish continuing training requirements and approve curricula.

~~E.~~ E. With respect to peace officer misconduct, the board may:

1. Receive complaints of peace officer misconduct from any person, request law enforcement agencies to conduct investigations and conduct independent investigations into whether an officer is in compliance with the qualifications established pursuant to subsection A, paragraph 3 of this section.

2. Receive a complaint of peace officer misconduct from the president or chief executive officer of a board recognized law enforcement association that represents the interests of certified law enforcement officers if the association believes that a law enforcement agency refused to investigate or made findings that are contradictory to prima facie evidence of a violation of the qualifications established pursuant to subsection A, paragraph 3 of this section. If the board finds that the law enforcement agency refused to investigate or made findings that contradicted prima facie evidence of a violation of the qualifications established pursuant to subsection A, paragraph 3 of this section, the board shall conduct an independent investigation to determine whether the officer is in compliance with the qualifications established pursuant to subsection A, paragraph 3 of this section and provide a letter of the findings based on the investigation conducted by the board to the president or chief executive officer of the board recognized law enforcement association who made the complaint.

~~F.~~ F. The board may:

1. Deny, suspend, revoke or cancel the certification of an officer who is not in compliance with the qualifications established pursuant to subsection A, paragraph 3 of this section.

2. Provide training and related services to assist state, tribal and local law enforcement agencies to better serve the public, including training for emergency alert notification systems.

3. Enter into contracts to carry out its powers and duties.

1 ~~F.~~ G. This section does not create a cause of action or a right to
2 bring an action, including an action based on discrimination due to sexual
3 orientation.

4 ~~F.~~ H. For the purposes of this section, "sexual orientation" means
5 consensual homosexuality or heterosexuality.

6 Sec. 3. Legislative intent and findings

7 The legislature intends to establish an accelerated, fair and
8 standardized process for eligible military police veterans to receive
9 Arizona peace officer certification and finds that:

10 1. Military police veterans possess substantial training,
11 discipline and law enforcement experience gained through active duty
12 service.

13 2. Transitioning veterans into civilian policing strengthens public
14 safety while honoring their service.

15 3. Several states, including Texas, Florida and North Carolina
16 provide expedited pathways for military police to become peace officers.

17 Sec. 4. Short title

18 This act may be cited as the "Military Police to Peace Officer
19 Pathway Act".