

Rep. Rhodes, Ches. 17
February 10, 2026
2026-0658h
09/07

Amendment to HB 1805-FN

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 Police Standards and Training Council; Education and Training Required. Amend RSA 106-
4 L:6 to read as follows:

5 106-L:6 Education and Training Required.

6 I. The council shall provide by rule that after one year from the effective date of the rule no
7 person shall be appointed as a police officer, state corrections officer, or state probation-parole
8 officer, except on a temporary or probationary basis, unless such person has satisfactorily completed
9 a preparatory program of police, corrections, or probation-parole training appropriate to such
10 person's position at a school approved by the council. No such officer who lacks the educational and
11 training qualifications required by this section may have the temporary or probationary employment
12 extended beyond [~~2 years~~] **1 year; however, the council, upon a finding of good cause, may**
13 **grant an extension not to exceed an additional 6 months.**

14 II. Every elected police officer shall be required to satisfactorily complete a preparatory
15 program of police training at a school approved by the council. Any elected officer who has not
16 complied with the educational and training requirements of this paragraph within 6 months after
17 election shall be removed from office by the governing body of the governmental unit by which such
18 officer was elected; provided, however, that the council may, for such reasons as it may specify in its
19 rules, grant an extension of this time limit not to exceed an additional 6 months. A governing body
20 which has removed an elected police officer from office under the provisions of this paragraph shall
21 appoint a police officer to fill the vacant office. The appointed police officer shall continue to hold
22 office until the elected officer who was removed has complied with the educational and training
23 requirements of this paragraph or until an election is held, whichever occurs first. If any police
24 officer who has failed to comply with the educational and training requirements of this paragraph is
25 reelected, such officer shall not take office without permission of the council. If a noncomplying
26 police officer who has not obtained the permission of the council to take office is reelected, the
27 governing body of the governmental unit by which such officer was elected shall appoint a police
28 officer to fill the vacant office. The appointed police officer shall continue to hold office until the
29 elected officer has complied with the educational and training requirements of this paragraph or
30 until an election is held, whichever occurs first.

31 III. The council, by rules adopted under RSA 541-A, shall establish the standards for
32 physical and mental fitness under paragraphs [~~IV-XI~~] **IV through XVIII** and shall fix other

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1 qualifications for the appointment of police officers, state corrections officers, and probation-parole
2 officers, including minimum age, physical and mental standards, citizenship, good moral character,
3 experience, and other such matters ~~[as relate]~~ **related** to the competence and reliability of persons to
4 assume and discharge the responsibilities of their offices. The council shall prescribe the means for
5 presenting evidence of the fulfillment of these requirements.

6 IV. The council shall require that all uncertified ~~[part-time and full-time]~~ police officers,
7 state corrections officers, and probation-parole officers, prior to assuming their duties, successfully
8 pass a medical examination including a drug screening administered under the direction of a
9 licensed physician according to protocols adopted by the council. Such examination, when conducted,
10 shall be valid for a period of one year for purposes of application for employment.

11 V. The council shall require that all uncertified ~~[part-time and full-time]~~ police officers, state
12 corrections officers, and probation-parole officers, as a condition of admission to a basic or reciprocal
13 certification training program successfully pass a physical fitness performance test administered
14 according to standards adopted by the council.

15 VI. The council shall require that all uncertified ~~[part-time and full-time]~~ police officers,
16 state corrections officers, and probation-parole officers, prior to assuming their duties, successfully
17 pass a psychological screening test battery administered under the direction of a licensed
18 psychologist or psychiatrist according to protocols adopted by the council and designed to detect
19 behavioral traits that could adversely affect the person's ability to perform the essential functions of
20 a law enforcement officer. Such an examination shall be valid for a period of one year from the date
21 of administration for purposes of application for such employment.

22 VII. Beginning January 1, ~~[2001]~~ **2027**, the police standards and training council shall
23 require that all certified police officers, state corrections officers, and probation-parole officers, hired
24 after that date, as a condition of continued certification and employment furnish the council every 3
25 years with a certificate from a licensed physician, physician associate, or registered nurse
26 practitioner who has conducted a medical examination of the officer according to protocols adopted
27 by the council, certifying that in the opinion of the examiner the officer is physically capable of
28 ~~[participating in the council's physical fitness test]~~ **performing the essential physical functions**
29 **of a law enforcement officer as defined by the council.**

30 VIII. Any officer who is unable to meet the medical requirements of paragraph VII may
31 request an additional medical examination by a physician chosen by the council. If the officer is still
32 unable to meet the standards, such officer's certification ~~[shall be placed in a probationary status for~~
33 ~~a period of up to 2 years, during which time the officer may request re-examination at any time. If~~
34 ~~following the 2-year period the officer is still unable to meet the standards, the officer's certification]~~
35 shall be suspended until such time as such officer obtains the medical certification required in
36 paragraph VII.

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1 IX. ~~[Beginning January 1, 2001, the police standards and training council shall require that~~
2 ~~all certified police officers, state corrections officers, and probation-parole officers, hired after that~~
3 ~~date, as a condition of continued certification and employment every 3 years pass a physical fitness~~
4 ~~performance test administered by the hiring authority or the council, according to protocols adopted~~
5 ~~by the council.~~

6 X. ~~Any officer who is unable to meet the physical fitness performance requirements of~~
7 ~~paragraph IX may request an additional physical fitness performance test administered by the~~
8 ~~council. If the officer is still unable to meet the standards, such officer's certification shall be placed~~
9 ~~in a probationary status for a period of up to 2 years, during which time the officer may request re-~~
10 ~~examination at any time. If, following the 2-year period, the officer is still unable to meet the~~
11 ~~standards, the officer's certification shall be suspended until such time as such officer is able to pass~~
12 ~~the physical performance test.~~

13 XI. In any case where the council has reasonable grounds to doubt that the medical
14 examination performed as required in paragraph VII was performed in accordance with the
15 appropriate protocols, the council may require the officer to submit to a separate examination by a
16 physician selected by the council, at the council's expense.

17 XII. A licensed physician, psychiatrist, psychologist, or person acting under the
18 licensee's supervision, whose examination administered under this chapter results in an
19 employment decision adverse to a police, corrections, or probation-parole officer shall be immune
20 from suit resulting from such examination or decision, providing such examination is conducted in
21 good faith, not in a wanton or reckless manner.

22 XIII. To the extent required to comply with federal or state law, the council may grant
23 a waiver, with respect to employment at a specific agency, to an officer who cannot meet the
24 standards in paragraphs VII and VIII.

25 XIV. Nothing in this section shall prevent individual hiring agencies from adopting
26 physical fitness programs *or physical performance standards* for their officers that are more
27 stringent or frequent than those required in this section.

28 XV. XIII. Except as provided in paragraph XI IX and notwithstanding other provisions of
29 law to the contrary, a hiring authority may assess a testing fee to cover all or part of the cost of any
30 medical or psychological examination in cases where the person has been given a conditional offer of
31 employment. A hiring authority may also make repayment of a testing fee part of any training or
32 hiring contract that establishes a minimum term of employment for such an officer.

33 XVI. XIV. The council shall issue a certificate evidencing satisfaction of the requirements
34 of paragraphs I, II, and III to any applicant who presents such evidence as may be required by its
35 rules of satisfactory completion of a program or course of instruction in another jurisdiction
36 equivalent in content and quality to that required by the council for approved police, corrections, or
37 probation-parole, as appropriate, education and training programs in this state.

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1 ~~[XVII. Any special agent of the state liquor commission who has the power to enforce the~~
2 ~~criminal laws under RSA title XIII and rules of the state liquor commission and who was serving~~
3 ~~under a permanent appointment prior to August 13, 1985, shall not be required to meet the~~
4 ~~requirements of paragraphs I and III; however, any special agent referred to in this paragraph shall~~
5 ~~complete such limited programs as may be prescribed by rule adopted under RSA 541-A by the police~~
6 ~~standards and training council under this section within one year of the date the programs are~~
7 ~~required. Should any special agent exempted from the requirements of paragraphs I and III of this~~
8 ~~section by this paragraph terminate employment with the state liquor commission and be hired as a~~
9 ~~police officer by another police department of the state or a political subdivision thereof, the special~~
10 ~~agent's certification shall lapse and may be reinstated upon completion of such necessary additional~~
11 ~~training courses as the police standards and training council may prescribe by rule adopted under~~
12 ~~RSA 541-A.]~~

13 ***XV. Within 9 months of the effective date of this section, each law enforcement***
14 ***agency shall adopt an officer wellness program to support that agency's law enforcement***
15 ***officers' wellness throughout their careers.***

16 ***XVI. An officer wellness program shall include all of the following:***

17 ***(a) A written policy that defines physical and mental wellness for the agency's***
18 ***law enforcement officers and the agency's internal process to support and promote each***
19 ***aspect of officer wellness.***

20 ***(b) A defined fitness test, if such test is adopted by the agency, that establishes***
21 ***performance standards and minimum passing scores.***

22 ***(c) A written policy, or provisions in the applicable collective bargaining***
23 ***agreement, that outlines for its officers the ongoing standards enumerated in this chapter,***
24 ***the expectations of employment under the policy, and the due process rights for its officers.***

25 ***XVII. The chief executive officer of every law enforcement agency in the state shall***
26 ***be responsible for the implementation of this section and shall file copies of all written***
27 ***policies required by this section with the police standards and training council.***

28 ***XVIII. The council shall create an officer wellness program model policy that may***
29 ***be used by law enforcement agencies to meet the requirements of this section.***

30 2 Effective Date. This act shall take effect 60 days after its passage.

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AMENDED ANALYSIS

This bill makes modifications to the physical fitness requirements for law enforcement officers and requires law enforcement agencies to adopt an officer wellness program to support law enforcement officers' wellness.