

OFFICE OF THE ATTORNEY GENERAL ⁹¹⁻⁰⁰¹⁹⁵



JIMMY EVANS
ATTORNEY GENERAL
STATE OF ALABAMA

MAR 20 1991

ALABAMA STATE HOUSE
11 SOUTH UNION STREET
MONTGOMERY, ALABAMA 36130
AREA (205) 242-7300

Honorable Josephine Gullage
City Clerk
Town of Midland City
P.O. Box 69
Midland City, Alabama 36350

Municipalities - Peace Officers
Standards and Training - Funds
- Police Officers

Only that training mandated by
Code of Alabama 1975,
§ 36-21-40 through -51 is
required to be reimbursed by a
municipality who hires an
officer within twelve months
after another municipality has
paid for that training.

Dear Ms. Gullage:

This opinion is issued in response to the request of the
Town of Midland City for an opinion of the Attorney General.

QUESTION

Can a municipality request reimbursement
from another municipality for a police
officer's pre-academy training, as well as
his academy training, if that police officer
leaves said municipality's employ immedi-
ately after training is completed?

FACTS AND ANALYSIS

Code of Alabama 1975, § 36-21-7 requires one municipality to reimburse another for the total expense of training, including salary paid during training. For police officers, training is described as "the training requirements mandated by the provisions of article 3, chapter 21, title 36." A review of these provisions shows that academy training [Section 36-21-46(3)] and, for a police chief, annual continuing education courses are mandated [Section 36-21-51]. We do not know precisely what you mean by the phrase, "pre academy training," but unless such training is mandated under Code of Alabama 1975, § 36-21-40 through -51, you cannot require reimbursement from another municipality.

CONCLUSION

Only that training mandated by Code of Alabama 1975, § 36-21-40 through -51 is required to be reimbursed by a municipality who hires an officer within twelve months after another municipality has paid for that training.

I hope this sufficiently answers your question. If our office can be of further assistance, please do not hesitate to contact us.

Sincerely,

JIMMY EVANS
Attorney General
By:


JAMES R. SOLOMON, JR.
Chief, Opinions Division