

16.060 Powers and duties of commissioner and officers -- Off-duty police employment and secondary employment -- Policies.

- (1) It shall be the duty of the commissioner, each officer of the department, and each individual employed as a Trooper R Class or CVE R Class to:
 - (a) Detect and prevent crime;
 - (b) Apprehend criminals;
 - (c) Maintain law and order throughout the state;
 - (d) Collect, classify, and maintain information useful for the detection of crime and the identification, apprehension, and conviction of criminals; and
 - (e) Enforce the criminal, motor vehicle, and traffic laws of the Commonwealth.
- (2) The commissioner, each officer of the department, and each individual employed as a Trooper R Class or CVE R Class is individually vested with the powers of a peace officer and shall:
 - (a) Have in all parts of the state the same powers with respect to criminal matters and enforcement of laws as sheriffs, constables granted peace officer powers, and police officers in their respective jurisdictions; and
 - (b) Possess all the immunities and matters of defense now available or hereafter made available to sheriffs, constables granted peace officer powers, and police officers in any suit brought against them in consequence of acts done in the course of their employment.
- (3) Any warrant of arrest may be executed by the commissioner, any officer of the department, and each individual employed as a Trooper R Class or CVE R Class.
- (4) The commissioner shall allow officers of the department or individuals employed as a Trooper R Class or CVE R Class to engage in law enforcement-related off-duty police employment and secondary employment that:
 - (a) Has been reviewed and approved by the commissioner or his or her designee;
 - (b) Does not:
 1. Create a conflict with the officer's or individual's duties as an employee of the department;
 2. Reflect unfavorably upon the department or the officer or individual; or
 3. Impair the officer's or individual's performance of departmental duties;
 - (c) May include contracts involving:
 1. Public entities;
 2. Projects for which a contractor is providing services to a public entity, including but not limited to the Transportation Cabinet;
 3. Nonpublic entities that receive state funding; and
 4. Ticketed events where public safety is a concern; and
 - (d) Shall not include contracts involving:
 1. Retail establishments;
 2. Weddings or private parties; or
 3. Establishments or businesses that sell alcoholic beverages for on-site

consumption as a regular and primary part of the business enterprise.

- (5) The commissioner shall establish policies and procedures consistent with subsection (4) of this section related to off-duty police employment and secondary employment for officers of the department or individuals employed as a Trooper R Class or CVE R Class.

Effective: July 15, 2026

History: Amended 2026 Ky. Acts ch. 60, sec. 1, effective July 15, 2026. -- Amended 2022 Ky. Acts ch. 90, sec. 3, effective January 1, 2023. -- Amended 2013 Ky. Acts ch. 64, sec. 10, effective June 25, 2013. -- Amended 2009 Ky. Acts ch. 59, sec. 4, effective June 25, 2009. -- Amended 1976 Ky. Acts ch. 151, sec. 1. -- Amended 1974 Ky. Acts ch. 74, Art. V, sec. 24(4). -- Created 1948 Ky. Acts ch. 80, sec. 6.