

CHAPTER 54

(SB 153)

AN ACT relating to the certification of court security officers.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

SECTION 1. A NEW SECTION OF KRS 15.380 TO 15.404 IS CREATED TO READ AS FOLLOWS:

- (1) *A person certified as a court security officer after the effective date of this Act, under KRS 15.380 to 15.404 shall, at the time of becoming certified, meet the following minimum qualifications:*
- (a) *Be a citizen of the United States;*
 - (b) *Be at least twenty-one (21) years of age;*
 - (c) *Be a high school graduate or have successfully completed a General Educational Development (GED) examination;*
 - (d) *Possess a valid license to operate a motor vehicle;*
 - (e) *Be fingerprinted for a criminal background check;*
 - (f) *Not have been convicted of any felony;*
 - (g) *Not be prohibited by federal or state law from possessing a firearm;*
 - (h) *Have received and read the Kentucky Law Enforcement Officers Code of Ethics, as established by the council;*
 - (i) *Have not received a dishonorable discharge, a bad conduct discharge, or general discharge under other than honorable conditions if he or she served in any branch of the Armed Forces of the United States;*
 - (j) *Have passed a drug screening test administered or approved by the council by administrative regulation. A person shall be deemed to have passed a drug screening test if the results of the test are negative for the use of an illegal controlled substance or prescription drug abuse. Any agency that administers its own test that meets or exceeds this standard shall certify passing test results to the council, which shall accept them as complying with KRS 15.380 to 15.404;*
 - (k) *Have undergone a background investigation established or approved by the council by administrative regulation to determine suitability for the position of a court security officer. If the employing agency has established its own background investigation that meets or exceeds the standards of the council, as set forth by administrative regulation, the agency shall conduct the background investigation and shall certify background investigation results to the council, which shall accept them as complying with KRS 15.380 to 15.404;*
 - (l) *Have been interviewed by the employing agency;*
 - (m) *Have taken a psychological suitability screening administered or approved by the council by administrative regulation to determine the person's suitability to perform court security officer duties; and*
 - (n) *Have taken a polygraph examination administered or approved by the council by administrative regulation to determine his or her suitability to perform court security officer duties. Any agency that administers its own polygraph examination as approved by the council shall certify the results that indicate whether a person is suitable for employment as a court security officer to the council, which shall accept them as complying with KRS 15.380 to 15.404.*
- (2) *A court security officer employed on or before the effective date of this Act shall comply with the requirements of subsection (1) of this section within six (6) months of the effective date of this Act.*
- (3) *A peace officer who has previously attended law enforcement basic training and met the certification requirements of KRS 15.382 and Section 7 of this Act shall not be required to meet the requirements of this section to be appointed a court security officer, but shall meet the requirements of KRS 15.386(3).*

SECTION 2. A NEW SECTION OF KRS 15.380 TO 15.404 IS CREATED TO READ AS FOLLOWS:

The certification of a court security officer may, after a hearing held in conformity with KRS Chapter 13B, be revoked by the council for one (1) or more of the following reasons:

- (1) *Failure to meet or maintain training requirements;*
- (2) *Willful falsification of information to obtain or maintain certified status;*
- (3) *Certification was the result of an administrative error;*
- (4) *Plea of guilty to, conviction of, or entering of an Alford plea to any felony;*
- (5) *Prohibition by federal or state law from possessing a firearm; or*
- (6) *Receipt of a dishonorable discharge, a bad conduct discharge, or general discharge under other than honorable conditions from any branch of the Armed Forces of the United States.*

SECTION 3. A NEW SECTION OF KRS 15.380 TO 15.404 IS CREATED TO READ AS FOLLOWS:

- (1) *A court security officer employed or appointed after the effective date of this Act shall satisfy the basic training requirements for employment if he or she successfully completes law enforcement training developed and approved by the Kentucky Law Enforcement Council and the Administrative Office of the Courts of at least eighty (80) hours.*
- (2) *A court security officer employed or appointed after the effective date of this Act shall successfully complete forty (40) hours of biennial in-service training that has been certified or recognized by the Kentucky Law Enforcement Council, and that is appropriate to the officer's responsibilities.*
- (3) *In the event of extenuating circumstances beyond the control of a certified court security officer that prevent the officer from completing the basic or in-service training within the time specified in subsections (1) and (2) of this section, the commissioner of the department or his or her designee may grant the officer an extension of time, not to exceed one hundred eighty (180) days in which to complete the training.*
- (4) *Any court security officer who fails to successfully complete basic training within the specified time periods, including extensions, shall lose his or her court security powers and his or her precertification status shall lapse. Any court security officer who fails to successfully complete in-service training within the specified time periods, including extensions, shall lose his or her court security powers and his or her certification status shall be changed to training deficiency status. When a court security officer is deficient in required training, the commissioner of the department or his or her designee shall notify the council, which shall notify the court security officer and his or her agency.*
- (5) *A certified court security officer who has lost his or her court security powers due solely to his or her failure to meet the in-service training requirements of this section may regain his or her certification status and court security powers upon successful completion of the training deficiency.*

SECTION 4. A NEW SECTION OF KRS 15.380 TO 15.404 IS CREATED TO READ AS FOLLOWS:

The following certification categories shall exist for certified court security officers:

- (1) *"Precertification status" means that the certified court security officer is currently employed or appointed by an agency and meets or exceeds all those minimum qualifications set forth in Section 1 of this Act, but has not successfully completed the training course provided in subsection (1) of Section 3 of this Act. Upon the council's verification that the minimum qualifications have been met, the officer shall have court security officer powers as authorized under the statute under which he or she was appointed or employed. If an officer fails to successfully complete the training course provided in subsection (1) of Section 3 of this Act within one (1) year of employment, his or her court security powers shall automatically terminate.*
- (2) *"Certification status" means that unless the certification is in revoked status or inactive status, the certified court security officer is currently employed or appointed by an agency and has met all training requirements. The officer shall have court security officer powers as authorized under the statute under which he or she was appointed or employed.*
- (3) (a) *"Inactive status" means that unless the certification is in revoked status:*
 1. *The person has been separated on or after December 1, 1998, from the agency by which he or she was employed or appointed and has no peace officer or court security officer powers; or*
 2. *The person is on military active duty for a period exceeding three hundred sixty-five (365) days.*

- (b) *The person may remain on inactive status. A person who is on inactive status and who returns to a court security officer position shall have certification status restored if he or she has successfully completed the training course under subsection (1) of Section 3 of this Act, has not committed an act for which his or her certified status may be revoked pursuant to Section 2 of this Act, and successfully completes an in-service training course as prescribed in an administrative regulation promulgated by the Kentucky Law Enforcement Council.*
- (c) *A person returning from inactive to active certification as a court security officer after the effective date of this Act, under KRS 15.380 to 15.404, shall meet the following minimum qualifications:*
1. *Be a citizen of the United States;*
 2. *Possess a valid license to operate a motor vehicle;*
 3. *Be fingerprinted for a criminal background check;*
 4. *Not have been convicted of any felony;*
 5. *Not be prohibited by federal or state law from possessing a firearm;*
 6. *Have received and read the Kentucky Law Enforcement Officers Code of Ethics as established by the council;*
 7. *Have not received a dishonorable discharge, bad conduct discharge, or general discharge under other than honorable conditions if having served in any branch of the Armed Forces of the United States;*
 8. *Have been interviewed by the employing agency; and*
 9. *Not have had certification as a peace officer permanently revoked in another state.*
- (4) *"Training deficiency status" means that unless the certification is in revoked status or inactive status, the certified court security officer is currently employed or appointed by an agency and has failed to meet all in-service training requirements. The officer's court security powers shall automatically terminate, and he or she shall not exercise court security officer powers in the Commonwealth until he or she has corrected the in-service training deficiency.*
- (5) *"Revoked status" means that the court security officer has no court security powers and his or her certification has been revoked by the Kentucky Law Enforcement Council for any one (1) of the following reasons:*
- (a) *Failure to meet or maintain training requirements;*
 - (b) *Willful falsification of information to obtain or maintain certified status;*
 - (c) *Certification was the result of an administrative error;*
 - (d) *Plea of guilty to, conviction of, or entering of an Alford plea to any felony;*
 - (e) *Prohibition by federal or state law from possessing a firearm; or*
 - (f) *Receipt of a dishonorable discharge, a bad conduct discharge, or general discharge under other than honorable conditions from any branch of the Armed Forces of the United States.*
- (6) *"Denied status" means that a person does not meet the requirements to achieve precertification status or certification status as a court security officer.*

The design of a certificate may be changed periodically. When a new certificate is produced, it shall be distributed free of charge to each currently certified court security officer.

SECTION 5. A NEW SECTION OF KRS 15.380 TO 15.404 IS CREATED TO READ AS FOLLOWS:

Except for persons currently employed in a hazardous duty position and who remain in that hazardous duty position while performing certified court security officer functions, the position of certified court security officer shall not be considered as a hazardous duty position within the meaning of KRS 61.592 and shall not be eligible to participate in the Kentucky Law Enforcement Foundation Program Fund unless the officer meets the requirements of KRS 15.382, 15.404, and 15.440.

Section 6. KRS 15.310 is amended to read as follows:

As used in KRS 15.315 to 15.510, 15.990, and 15.992, unless the context otherwise requires:

- (1) "Basic training course" means the peace officer *or court security officer* basic training course provided by the Department of Criminal Justice Training or a course approved and recognized by the Kentucky Law Enforcement Council;
- (2) "*Certified court security officer*" means a court security officer who is certified under KRS 15.380 to 15.404;
- (3) "Certified peace officer" means a peace officer who is certified under KRS 15.380 to ~~15.404~~~~15.402~~;
- ~~(4)~~~~(3)~~ "Certification" means the act by the council of issuing certification to a peace officer *or court security officer* who successfully completes the training requirements pursuant to KRS 15.404 and the requirements set forth within this chapter;
- ~~(5)~~~~(4)~~ "Council" means the Kentucky Law Enforcement Council established by KRS 15.315 to 15.510, 15.990, and 15.992;
- (6) "*Court security officer*" means a person required to be certified under subsection (1)(c) of Section 7 of this Act and who is charged with the duties set out in Section 10 of this Act;
- ~~(7)~~~~(5)~~ "Department" means the Department of Criminal Justice Training of the Justice Cabinet;
- ~~(8)~~~~(6)~~ "Law enforcement officer" means a member of a lawfully organized police unit or police force of county, city or metropolitan government who is responsible for the detection of crime and the enforcement of the general criminal laws of the state, as well as sheriffs, sworn deputy sheriffs, campus security officers, law enforcement support personnel, public airport authority security officers, other public and federal peace officers responsible for law enforcement, and special local peace officers licensed pursuant to KRS 61.360;
- ~~(9)~~~~(7)~~ "Peace officer" means a person defined in KRS 446.010;
- ~~(10)~~~~(8)~~ "Secretary" means the secretary of the Justice Cabinet; and
- ~~(11)~~~~(9)~~ "Validated job task analysis" means the minimum entry level qualifications and training requirements for peace officers in the Commonwealth based upon an actual survey and study of police officer duties and responsibilities conducted by an entity recognized by the Kentucky Law Enforcement Council as being competent to conduct such a study.

Section 7. KRS 15.380 is amended to read as follows:

- (1) The following officers employed or appointed as full-time, part-time, or auxiliary officers, whether paid or unpaid, shall be certified:
 - (a) State Police officers, but for the commissioner of the State Police;
 - (b) City, county, and urban-county police officers;
 - (c) *Court security officers and* deputy sheriffs, except those identified in KRS 70.045 and 70.263(3);
 - (d) State or public university safety and security officers appointed pursuant to KRS 164.950;
 - (e) School security officers employed by local boards of education who are special law enforcement officers appointed under KRS 61.902;
 - (f) Airport safety and security officers appointed under KRS 183.880;
 - (g) Office of Alcoholic Beverage Control field representatives and investigators appointed under KRS 241.090;
 - (h) Division of Insurance Fraud Investigation investigators appointed under KRS 304.47-040; ~~and~~
 - (i) County detectives appointed in a county containing a consolidated local government with the power of arrest in the county and the right to execute process statewide in accordance with KRS 69.360; *and*
 - (j) *Commonwealth detectives employed under KRS 69.110.*
- (2) The requirements of KRS 15.380 to 15.404 for certification may apply to all state peace officers employed pursuant to KRS Chapter 18A and shall, if adopted, be incorporated by the Personnel Cabinet for job specifications.

- (3) Additional training in excess of the standards set forth in KRS 15.380 to 15.404 for all peace officers possessing arrest powers who have specialized law enforcement responsibilities shall be the responsibility of the employing agency.
- (4) The following officers may, upon request of the employing agency, be certified by the council:
 - (a) Deputy coroners;
 - (b) Deputy constables;
 - (c) Deputy jailers;
 - (d) Deputy sheriffs under KRS 70.045 and 70.263(3);
 - (e) Officers appointed under KRS 61.360;
 - (f) Officers appointed under KRS 61.902, except those who are school security officers employed by local boards of education;
 - (g) Private security officers;
 - (h) Employees of a correctional services division created pursuant to KRS 67A.028 and employees of a metropolitan correctional services department created pursuant to KRS 67B.010 to 67B.080; and
 - (i) Investigators employed by the Office of Charitable Gaming in accordance with KRS 238.510.
- (5) The following officers shall be exempted from the certification requirements but may upon their request be certified by the council:
 - (a) Sheriffs;
 - (b) Coroners;
 - (c) Constables;
 - (d) Jailers;
 - (e) Kentucky Horse Racing Authority security officers employed under KRS 230.240; and
 - (f) Commissioner of the State Police.
- (6) Federal peace officers cannot be certified under KRS 15.380 to 15.404.

Section 8. KRS 15.388 is amended to read as follows:

- (1) Within five (5) working days of employment or appointment, the chief executive officer of the employing agency, or his designee, shall file a report with the council certifying that the newly employed officer is certified or meets or exceeds the precertification qualifications of KRS 15.382 *for peace officers, or Section 1 of this Act for court security officers*.
- (2) If the person is certified, the council shall continue certified status.
- (3) If the person is on inactive status, the council shall upgrade to certified status unless the certification is revoked or denied as provided by KRS 15.380 to 15.404.
- (4) If the person is not certified and not on inactive status, but has successfully completed *an applicable*~~the~~ basic training course approved and recognized by the council, the council shall designate the person as being in certified status unless the certification is revoked or denied as provided by KRS 15.380 to 15.404.
- (5) If the person is not certified and not on inactive status, and has not successfully completed *an applicable*~~the~~ basic training course approved and recognized by the council, the council shall designate the person as being in precertification status.
- (6) A person who is in precertification status shall, upon successful completion of the required basic training, be certified unless he has committed an act that would result in revocation of his certificate in which case he shall be denied certification.
- (7) A person who is denied certified status under this section shall have the same right of appeal as a person who has been revoked under KRS 15.380 to 15.404.

- (8) If the certified *peace* officer has successfully completed the basic training required by KRS 15.404 and transfers from a peace officer *or court security officer* position from a current employer to a peace officer position for another employer, and both employers have, at least ten (10) working days prior to the effective date of the transfer, notified the council in writing of the transfer, the council shall maintain the officer in certified status.
- (9) *If the certified court security officer has successfully completed the basic training required by Section 3 of this Act and transfers from a court security officer position from a current employer to a court security officer position for another employer, and both employers have, at least ten (10) working days prior to the effective date of the transfer, notified the council in writing of the transfer, the council shall maintain the officer in certified status.*
- (10) *A certified court security officer who has met the requirements of Section 1 of this Act shall not transfer from a court security officer position to a peace officer position unless the certified court security officer meets all the requirements of a certified peace officer under KRS 15.382 and 15.404(1). If the certified court security officer has met the minimum qualifications of KRS 15.382, successfully completed the basic training required for certified peace officers under KRS 15.404(1), and transfers from a court security officer position from a current employer to a peace officer position for another employer, and both employers have, at least ten (10) working days prior to the effective date of the transfer, notified the council in writing of the transfer, the council shall maintain the officer in certified status.*

Section 9. KRS 23A.090 is amended to read as follows:

- (1) The sheriff of the county in which the Circuit Court is sitting shall provide such deputies, *certified court security officers*, and ordinary equipment as the Chief Circuit Judge shall deem necessary to provide security services to the court and its facilities.
- (2) The sheriff shall be compensated for these duties at rates to be determined by law.

SECTION 10. A NEW SECTION OF KRS CHAPTER 70 IS CREATED TO READ AS FOLLOWS:

- (1) *A certified court security officer shall be charged with the following duties:*
- (a) *Attending sessions of any court of the Court of Justice in the county in which he or she is sworn;*
 - (b) *Keeping order in the courts;*
 - (c) *Providing security services to the courts within the court facility or immediate area of the court facility;*
 - (d) *Guarding prisoners during court appearances;*
 - (e) *Serving warrants and other court papers on individuals physically present in the courtroom;*
 - (f) *Transporting prisoners;*
 - (g) *Arresting and taking individuals into custody who are in the court facility or immediate area of the court facility, or while transporting prisoners; and*
 - (h) *Service of process and other papers relating to civil matters on individuals physically present in the courtroom.*
- (2) *A certified court security officer shall not:*
- (a) *Go outside the immediate area of the court facility in which he or she is providing security services to make an arrest or take an individual into custody, except when transporting prisoners;*
 - (b) *Patrol the roads, streets, or highways;*
 - (c) *Issue traffic citations, except to enforce parking regulations around the court facility; or*
 - (d) *Perform general law enforcement duties outside that of providing court security.*

Section 11. KRS 70.030 is amended to read as follows:

- (1) The sheriff may appoint his or her own deputies and may revoke the appointment at his or her pleasure except where that revocation is prohibited by the provisions of KRS 70.260 to 70.273. In a county containing a consolidated local government or city of the first class with a deputy sheriff merit board, the term of office of a deputy shall continue from sheriff to sheriff unless a deputy is removed according to the provisions of KRS

70.260 to 70.273. Before any deputy executes the duties of his or her office, he or she shall take the oath required to be taken by the sheriff.

- (2) *The sheriff may appoint his or her own certified court security officers and may revoke the appointment at his or her pleasure. A certified court security officer shall take an oath to faithfully perform the duties of his or her office and that he or she possesses the minimum qualifications under Section 1 of this Act.*
- (3) The sheriff may appoint nonsworn clerical, technical, professional, and support personnel to assist him or her in the performance of the duties of his or her office. All nonsworn personnel shall serve at the pleasure of the sheriff.
- ~~(4)~~~~(3)~~ No sheriff whose county has adopted a deputy sheriff merit board under KRS 70.260 shall appoint a deputy who is a member of the immediate family of the sheriff. The term "member of the immediate family" has the meaning given in KRS 70.260.
- ~~(5)~~~~(4)~~ *Except for certified court security officers*, a sheriff's office may, upon the written request of the sheriff, participate in the Kentucky Law Enforcement Foundation Program Fund authorized by KRS 15.410 to 15.510 without the county establishing a deputy sheriff merit board. This subsection shall not prohibit the sheriff from requesting the consolidated local government or the fiscal court to establish a deputy sheriff merit board.

Section 12. KRS 70.036 is amended to read as follows:

- (1) Sheriffs,~~and~~ bonded deputy sheriffs, *and certified court security officers* are authorized to wear approved uniforms while engaged in the performance of their duties. As used herein, "approved uniforms" means those uniforms the design and color of which are officially approved by the Kentucky Sheriffs' Association.
- (2) The expense of uniforms used by sheriffs,~~and~~ their deputies, *and certified court security officers* in accordance with this section may be paid by the fiscal court from the county general fund. All such uniforms shall be the property of the county.

Section 13. KRS 70.140 is amended to read as follows:

The sheriff shall, by himself or deputy, attend and keep order in the fiscal court and any court of the Court of Justice and shall obey the orders of said courts, *but a certified court security officer may only attend and keep order in any court of the Court of Justice and shall obey the orders of said court.*

Section 14. KRS 527.020 is amended to read as follows:

- (1) A person is guilty of carrying a concealed weapon when he carries concealed a firearm or other deadly weapon on or about his person.
- (2) Peace officers *and certified court security officers*, when necessary for their protection in the discharge of their official duties; United States mail carriers when actually engaged in their duties; and agents and messengers of express companies, when necessary for their protection in the discharge of their official duties, may carry concealed weapons on or about their person.
- (3) Policemen directly employed by state, county, city, or urban-county governments may carry concealed deadly weapons on or about their person at all times within the Commonwealth of Kentucky, when expressly authorized to do so by the government employing the officer.
- (4) Persons, except those specified in subsection (5) of this section, licensed to carry a concealed deadly weapon pursuant to KRS 237.110 may carry a firearm or other concealed deadly weapon on or about their persons at all times within the Commonwealth of Kentucky, if the firearm or concealed deadly weapon is carried in conformity with the requirements of that section. Unless otherwise specifically provided by the Kentucky Revised Statutes or applicable federal law, no criminal penalty shall attach to carrying a concealed firearm or other deadly weapon with a permit at any location at which an unconcealed firearm or other deadly weapon may be constitutionally carried. No person or organization, public or private, shall prohibit a person licensed to carry a concealed deadly weapon from possessing a firearm, ammunition, or both, or other deadly weapon in his or her vehicle in compliance with the provisions of KRS 237.110 and 237.115. Any attempt by a person or organization, public or private, to violate the provisions of this subsection may be the subject of an action for appropriate relief or for damages in a Circuit Court or District Court of competent jurisdiction.
- (5) (a) The following persons, if they hold a license to carry a concealed deadly weapon pursuant to KRS 237.110, may carry a firearm or other concealed deadly weapon on or about their persons at all times

and at all locations within the Commonwealth of Kentucky, without any limitation other than as provided in this subsection:

1. A Commonwealth's attorney or assistant Commonwealth's attorney;
 2. A county attorney or assistant county attorney;
 3. A justice or judge of the Court of Justice; and
 4. A retired or senior status justice or judge of the Court of Justice.
- (b) The provisions of this subsection shall not authorize a person specified in this subsection to carry a concealed deadly weapon in a detention facility as defined in KRS 520.010 or on the premises of a detention facility without the permission of the warden, jailer, or other person in charge of the facility, or the permission of a person authorized by the warden, jailer, or other person in charge of the detention facility to give such permission. As used in this section, "detention facility" does not include courtrooms, facilities, or other premises used by the Court of Justice or administered by the Administrative Office of the Courts.
- (c) A person specified in this section who is issued a concealed deadly weapon license shall be issued a license which bears on its face the statement that it is valid at all locations within the Commonwealth of Kentucky and may have such other identifying characteristics as determined by the Department of State Police.
- (6) (a) Except provided in this subsection, the following persons may carry concealed deadly weapons on or about their person at all times and at all locations within the Commonwealth of Kentucky:
1. An elected sheriff and full-time and part-time deputy sheriffs certified pursuant to KRS 15.380 to 15.404 when expressly authorized to do so by the unit of government employing the officer;
 2. An elected jailer and a deputy jailer who has successfully completed Department of Corrections basic training and maintains his or her current in-service training when expressly authorized to do so by the jailer; and
 3. The department head or any employee of a corrections department in any jurisdiction where the office of elected jailer has been merged with the office of sheriff who has successfully completed Department of Corrections basic training and maintains his or her current in-service training when expressly authorized to do so by the unit of government by which he or she is employed.(b)
The provisions of this subsection shall not authorize a person specified in this subsection to carry a concealed deadly weapon in a detention facility as defined in KRS 520.010 or on the premises of a detention facility without the permission of the warden, jailer, or other person in charge of the facility, or the permission of a person authorized by the warden, jailer, or other person in charge of the detention facility to give such permission. As used in this section, "detention facility" does not include courtrooms, facilities, or other premises used by the Court of Justice or administered by the Administrative Office of the Courts.
- (7) (a) A full-time paid peace officer of a government agency from another state or territory of the United States or an elected sheriff from another territory of the United States may carry a concealed deadly weapon in Kentucky, on or off duty, if the other state or territory accords a Kentucky full-time paid peace officer and a Kentucky elected sheriff the same rights by law. If the other state or territory limits a Kentucky full-time paid peace officer or elected sheriff to carrying a concealed deadly weapon while on duty, then that same restriction shall apply to a full-time paid peace officer or elected sheriff from that state or territory.
- (b) The provisions of this subsection shall not authorize a person specified in this subsection to carry a concealed deadly weapon in a detention facility as defined in KRS 520.010 or on the premises of a detention facility without the permission of the warden, jailer, or other person in charge of the facility, or the permission of a person authorized by the warden, jailer, or other person in charge of the detention facility to give such permission. As used in this section, "detention facility" does not include courtrooms, facilities, or other premises used by the Court of Justice or administered by the Administrative Office of the Courts.
- (8) A firearm or other deadly weapon shall not be deemed concealed on or about the person if it is located in a glove compartment, regularly installed in a motor vehicle by its manufacturer, regardless of whether said

compartment is locked, unlocked, or does not have a locking mechanism. No person or organization, public or private, shall prohibit a person from keeping a firearm or ammunition, or both, or other deadly weapon in a glove compartment of a vehicle in accordance with the provisions of this subsection. Any attempt by a person or organization, public or private, to violate the provisions of this subsection may be the subject of an action for appropriate relief or for damages in a Circuit Court or District Court of competent jurisdiction.

- (9) Carrying a concealed weapon is a Class A misdemeanor, unless the defendant has been previously convicted of a felony in which a deadly weapon was possessed, used, or displayed, in which case it is a Class D felony.

SECTION 15. A NEW SECTION OF KRS 15.410 TO 15.510 IS CREATED TO READ AS FOLLOWS:

- (1) *A court security officer certified pursuant to KRS 15.380 to 15.404 shall not be a deputy sheriff.*
- (2) *A court security officer certified pursuant to KRS 15.380 to 15.404 shall not be eligible for inclusion in the Kentucky Law Enforcement Foundation Program fund.*
- (3) *The appointment of a court security officer, whether certified or not, by a sheriff shall not affect the ability of the sheriff or certified deputy sheriffs to participate in the Kentucky Law Enforcement Foundation Program fund if all other requirements for participation in the fund under KRS 15.410 to 15.510 have been met. A sheriff or deputy sheriff who is otherwise eligible under KRS 15.410 to 15.510 for participation in the Kentucky Law Enforcement Foundation Program fund shall not be deemed ineligible because of the appointment of a court security officer by the sheriff or by any other body.*

SECTION 16. A NEW SECTION OF KRS CHAPTER 70 IS CREATED TO READ AS FOLLOWS:

- (1) *No agency of a unit of local government, other than the sheriff, shall provide security services for the Court of Justice, a courthouse, or a courtroom unless the provision of the service is specifically authorized by the Kentucky Revised Statutes.*
- (2) *No agency of state government, other than the Kentucky State Police or the Administrative Office of the Courts, shall provide security services for the Court of Justice, a courthouse, or a courtroom unless the provision of the services is specifically authorized by the Kentucky Revised Statutes.*
- (3) *This section shall not preclude any peace officer, upon request of a court security officer or justice or judge of the Court of Justice, from providing security or law enforcement service for a specific incident or series of specific incidents.*
- (4) *This section shall not preclude any peace officer from taking law enforcement action in a courthouse or courtroom upon viewing the commission of an offense, or upon service of a warrant or civil or criminal process.*

SECTION 17. A NEW SECTION OF KRS CHAPTER 70 IS CREATED TO READ AS FOLLOWS:

- (1) *In any county if the sheriff fails or refuses to provide certified peace officers or certified security officers for the provision of security services to any court of the Court of Justice then the Administrative Office of the Courts shall contract with a county, urban-county, charter county, consolidated local government, combined local government agency, or an agency of a city government to provide security services to any court of the Court of Justice in the county where the sheriff has failed or refused to provide such services.*
- (2) *Security personnel provided by a local government under contract to the Administrative Office of the Courts shall be certified peace officers, certified court security officers, or a combination thereof.*
- (3) *A court security officer provided by a unit of local government shall:*
 - (a) *Meet all of the qualifications and training specified in KRS 15.380 to 15.404; and*
 - (b) *Have the same power, duties, restrictions, and authority as a certified court security officer pursuant to KRS Chapter 70, and Sections 14 and 15 of this Act.*

Approved March 21, 2007.