

CHAPTER 146**(HB 512)**

AN ACT relating to qualifications of officers and declaring an emergency.

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

➔Section 1. KRS 16.040 is amended to read as follows:

- (1) The department shall consist of the commissioner and the number of officers, individuals employed as a Trooper R Class, CVE R Class, and civilians, and shall be organized in the manner as the commissioner from time to time determines.
- (2) All persons appointed as officers shall at the time of their appointment:
 - (a) Be not less than twenty-one (21) years of age;
 - (b) Be of good moral character, and in good health;
 - (c) Be citizens of the United States and residents of the Commonwealth; and
 - (d) Possess;
 1. A minimum of sixty (60) hours of credit, or an associate degree, from an accredited college or university;
 2. A high school diploma with at least two (2) years' experience in the military or in law enforcement; or
 3. A high school diploma or General Educational Development (GED) diploma with additional experience established by the commissioner by administrative regulation promulgated pursuant to KRS Chapter 13A. However, any person appointed under this subparagraph *who has not completed*~~[shall not be given a duty assignment until he or she meets]~~ the requirements of subparagraph 1. of this paragraph *prior to the end of probation as described in KRS 16.140(11) shall be discharged.*
- (3) The commissioner shall prescribe minimum physical requirements for appointment as an officer of the department and for individuals employed as a Trooper R Class or CVE R Class, and shall conduct such tests and require such physical examinations as deemed necessary to determine the fitness and qualification of each applicant. All other qualifications being equal, preference shall be given to veterans of the Armed Forces of the United States in time of war, who were honorably discharged.
- (4) The commissioner shall direct an investigation to be conducted in order to determine an applicant's suitability for employment as an officer. The contents of the investigation shall be subject to the Open Records Act, KRS 61.870 to 61.884 and KRS 61.991, except that the identity of any witness or informant involving information relative to this investigation shall remain confidential. The identity of any witness or informant shall be subject to the subpoena power of a court of competent jurisdiction.

➔Section 2. Whereas ensuring that the citizens of Kentucky are protected by qualified troopers is a priority, an emergency is declared to exist, and this Act takes effect upon its passage and approval by the Governor or upon its otherwise becoming a law.

Signed by Governor April 10, 2018.