

## CHAPTER 149

## ( HB 368 )

AN ACT relating to county detectives.

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

➔Section 1. KRS 69.360 is amended to read as follows:

- (1) A county attorney may ~~[, as funding allows,]~~ employ one (1) or more county detectives. County detectives ~~in counties containing a consolidated local government~~ shall have the power of arrest in the county and the right to execute process statewide. They shall assist the county attorney in all matters pertaining to his office in the manner he designates and shall assist him in the preparation of all criminal cases in District Court by investigating the evidence and facts connected with such cases.
- (2) A county detective *appointed after July 1, 2019* ~~[in a county containing a consolidated local government who has the power of arrest in the county and right to execute process statewide, as set out in subsection (1) of this section]~~, shall be certified in accordance with KRS 15.380 to ~~[KRS]~~ 15.404.
- ~~[(3) A county detective certified in accordance with KRS 15.380 to 15.404 shall have the right to execute civil process statewide.~~
- ~~[(4) A county detective who is not certified in accordance with KRS 15.380 to 15.404 shall have the right to serve civil process only in the county in which the county attorney is elected.~~
- ~~[(5) The provisions of subsections (3) and (4) of this section shall not apply to a county detective appointed pursuant to subsections (1) and (2) of this section.]~~

➔Section 2. 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) Department of Kentucky State Police officers, but for the commissioner of the Department of Kentucky 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 police 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) Department of Alcoholic Beverage Control investigators appointed under KRS 241.090;
  - (h) Division of Insurance Fraud Investigation investigators appointed under KRS 304.47-040;
  - (i) Fire investigators appointed or employed under KRS 95A.100 or 227.220; and
  - (j) 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 *after July 1, 2019*.
- (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 Department of Charitable Gaming in accordance with KRS 238.510; and
  - (j) Commonwealth detectives employed under KRS 69.110 and county detectives employed under KRS 69.360.
- (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 Commission 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.

**Signed by Governor March 26, 2019.**