

CHAPTER 102**(SB 89)**

AN ACT relating to the reemployment of retired urban-county government police officers and declaring an emergency.

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

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 67A IS CREATED TO READ AS FOLLOWS:

- (1) *As used in this section "police officer" has the same meaning as in KRS 15.420.*
- (2) *Subject to the limitations of subsection (7) of this section, the legislative body of the urban-county government may employ, as needed, individuals as police officers under this section who have retired from the Police and Fire Retirement Fund established by KRS 67A.360 to 67A.690.*
- (3) *To be eligible for employment under this section, an individual shall have:*
 - (a) *Participated in the Law Enforcement Foundation Program fund under KRS 15.410 to 15.510;*
 - (b) *Retired on a service retirement annuity under the provisions of KRS 67A.410;*
 - (c) *Been separated from service for a period of not less than thirty (30) days;*
 - (d) *Retired with no administrative charges pending; and*
 - (e) *Retired with no preexisting agreement or arrangement between the individual and the urban-county government prior to the individual's retirement for the individual to return to work for the urban-county government.*
- (4) *Individuals employed under this section shall:*
 - (a) *1. Serve for a term not to exceed one (1) year.*
 2. *The one (1) year employment term may be renewed annually at the discretion of the employing urban-county government;*
 - (b) *Receive compensation according to the standard procedures applicable to the employing urban-county government; and*
 - (c) *Be employed based upon need as determined by the employing urban-county government.*
- (5) *Individuals employed under this section:*
 - (a) *Shall continue to receive all retirement and health insurance benefits to which they were entitled under the provisions of KRS 67A.345 and KRS 67A.360 to 67A.690;*
 - (b) *1. Shall be subject to any merit system, civil service, or other legislative due process provisions applicable to the employing urban-county government.*
 2. *A decision not to renew a one (1) year appointment term under this section shall not be considered a retaliatory action, disciplinary action, or deprivation subject to due process; and*
 - (c) *Shall not be eligible to receive additional health insurance coverage through the employing urban-county government beyond the health insurance benefits prescribed for retirees in KRS 67A.345.*
- (6) *The employing urban-county government shall not make any employment retirement contributions for retired police officers employed pursuant to this section to any government pension plan authorized under KRS Chapter 67A.*
- (7) *The number of retirees hired by an urban-county government under this section shall not exceed the greater of:*
 - (a) *Twenty-five (25) police officers; or*
 - (b) *A number equal to ten percent (10%) of the police officers employed by the urban-county government in the immediately preceding calendar year.*

→Section 2. Whereas reemploying retired police officers is imperative to maintaining order and safety in the Lexington, Fayette area, 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 March 24, 2023.