

JUSTICE AND PUBLIC SAFETY CABINET
Internal Investigation Branch
(Amended After Comments)

500 KAR 2:020. Filing and processing SLEO commissions.

RELATES TO: KRS 15.334, 15.383, 61.300, 61.900-61.930, 61.990, 61.991, 62.010, 62.990

STATUTORY AUTHORITY: KRS. 61.904

NECESSITY, FUNCTION, AND CONFORMITY: KRS 61.902 authorizes the Secretary of the Justice and Public Safety Cabinet to commission special law enforcement officers. KRS 61.904 requires the Secretary to promulgate administrative regulations that are reasonable and necessary to carry out the provisions of KRS 61.900 to 61.930. This administrative regulation establishes the criteria and procedures required for filing and processing applications for commissions to be a special law enforcement officer.

Section 1. Definitions.

- (1) "Cabinet" is defined by KRS 61.900(3).
- (2) "Governmental unit" means the unit or agency of state, county, city, or metropolitan government or other governmental entity authorized by KRS 61.900(6) or 61.902 to employ SLEOs [~~"Kentucky Law Enforcement Council" or "KLEC" means the administrative body established in KRS 15.315~~].
- (3) "Secretary" is defined by KRS 61.900(5).
- (4) "SLEO Act" means the Special Law Enforcement Officer Act found in KRS 61.900 to 61.930.
- (5) "SLEO program administrator" means the person designated or appointed by the Secretary of the Justice and Public Safety Cabinet to administer the Special Law Enforcement Officer Program whose address is: SLEO Program Administrator, Internal Investigations Branch, 125 Holmes Street, Frankfort, Kentucky 40601 [~~Kentucky Law Enforcement Council, 521 Lancaster Avenue, Suite 401, Richmond, Kentucky 40475~~].
- (6) "Special Law Enforcement Officer" or "SLEO" is defined by KRS 61.900(6).

Section 2. Qualifications to Apply for Commission as a Special Law Enforcement Officer. To qualify for a commission as a SLEO [~~special law enforcement officer~~] pursuant to KRS 61.900 to 61.930, an individual shall comply with the conditions and requirements established in KRS 61.906.

Section 3. Application for Commission as a Special Law Enforcement Officer.

- (1) An applicant shall meet ~~all of~~ the requirements of the SLEO Act before a commission is granted.
- (2) An applicant shall provide to the governmental unit two (2) complete, signed and notarized Special Law Enforcement Officer (SLEO) Application Forms [~~SLEO Application Forms~~] (SLEO-1).
- (3) The governmental unit shall submit both application forms to the ~~Justice and Public Safety Cabinet~~ SLEO program administrator.
- (4) The application forms shall contain the following information:
 - (a) The name, address, telephone number, and detailed personal description of and information about the applicant; and
 - (b) All arrests and convictions, including traffic offenses committed within the past ten (10) years, violations, misdemeanors, or felonies as requested on the application and any other information necessary to conduct a criminal history check.
- (5) Any false ~~or~~ misleading information, or withholding of information requested on the application or by the cabinet investigator may be grounds for rejection without further

consideration.

Section 4. Additional Requirements.

(1) In addition to the application form, an applicant shall provide to the governmental unit who shall submit to the SLEO program administrator the following with his or her application:

- (a) A copy of the applicant's high school diploma, GED, official college transcript, or college degree~~for GED~~;
- (b) A ~~certified~~ copy of the applicant's certified birth certificate;
- (c) Two (2) recent photographs of the individual (full face) measuring not larger than three (3) inches by five (5) inches and taken within ~~the last~~ thirty (30) days of the date the application is submitted;
- (d) If the applicant is a veteran, a copy of his or her military release (Form DD-214);
- (e) An Authority to Release Information Form, SLEO-2, which allows the release of all necessary information to the SLEO program administrator. It shall be signed by the applicant and witnessed by a second person;
- (f) A Letter of Intent Form, SLEO-3, completed by the governmental unit giving the name of the applicant, the specific public property to be protected, and the signature of the authorizing official of the requesting governmental unit;
- (g) Proof that the applicant has successfully completed first aid and cardiopulmonary resuscitation (CPR) training provided according to the American Heart Association or the American Red Cross requirements and is certified in first aid and CPR; and
- (h) The application fee required by KRS 61.908.

(2) ~~If not on file from a previous application,~~ An applicant shall be fingerprinted by an approved vendor. The governmental unit shall contact the SLEO program administrator for information related to an approved vendor~~at the AFIS Section, Kentucky State Police, 1250 Louisville Road, Frankfort, Kentucky 40601 or at a local law enforcement office~~.

(3) The applicant shall arrange for and be interviewed by the SLEO program administrator or assigned cabinet investigator before a commission is granted.

(4) All SLEO applicants shall sign and the governmental unit shall submit to the cabinet the SLEO Acknowledgment Form, SLEO-4, which indicates that the applicant~~he~~:

- (a) ~~Has~~ Received, read, and understands:
 1. Provisions of the SLEO Act, KRS 61.900-61.930;
 2. Administrative regulations in 500 KAR Chapter 2;
 3. Penalties imposed for violating the SLEO Act and its administrative regulations; and
 4. KRS 61.300, 61.990, 61.991, 62.010, and 62.990; and

(b) Acknowledges that the applicant's~~his~~ authority is limited and restricted under the SLEO Act ~~;~~ and

~~(c) Understands and acknowledges that his commission as a SLEO does not give him the right or authority to carry a concealed weapon off the premises of the public property, unless he holds a license to carry a concealed deadly weapon issued pursuant to KRS 237.110 or meets the requirements of 18 U.S.C. Section 926B or Section 926C.~~

Section 5. Fees.

~~(1)~~ All fees required by KRS 61.908 shall be:

(1) Submitted with the application form; ~~Paid in advance and are~~

(2) Nonrefundable; and ~~;~~

(3) ~~(2)~~ ~~Fees shall be~~ Paid in the form of a check or money order made payable to the Kentucky State Treasurer.

Section 6. Approval of Application.

(1) If the applications and all required documents are in order, and if the criminal history information record review and background investigation are favorably completed, the governmental unit for whom the SLEO applicant will be employed shall notify the Department of Criminal Justice Training concerning any training the applicant needs ~~in order~~ to satisfy the requirements of KRS 61.906(2)(f).

(2) In notifying the Department of Criminal Justice Training, the governmental unit shall describe the training needed by the applicant. The Department of Criminal Justice Training shall schedule and conduct the training and collect the related fees as prescribed in KRS 61.908(3), (4), and (5). An applicant who has successfully completed the training previously shall not be required to repeat the course.

(3) The Department of Criminal Justice Training shall notify the governmental unit of the results of the training upon completion.

Section 7. Receipt of Defective or Falsified Application.

(1) If the application is incomplete, or otherwise defective in some way other than those referenced in Section 3(5) of this regulation, or in conflict with the SLEO Act or its administrative regulations, 502 KAR Chapter 2, the cabinet shall notify the governmental unit.

(2) Upon notice that an applicant's application is incomplete or otherwise defective, the governmental unit shall notify the applicant. An application may be corrected and resubmitted at no additional cost if it is resubmitted to the SLEO program administrator within sixty (60) days of the date the governmental unit~~applicant~~ is sent notice of the deficiencies by the SLEO program administrator.

(3) An application that has been falsified,~~or~~ contains material omissions, or contains incomplete information may be rejected, and the applicant shall be prohibited from submitting an application for commission as a SLEO for one (1) year.

Section 8. The Grant of the Commission and the Required Oath of Office.

(1) A commission for a SLEO~~special law enforcement officer~~ shall be validated and granted as follows:

(a) If the applicant has successfully satisfied the requirements of the act and a commission has been recommended, a commission certificate ~~and the recommendation~~ shall be forwarded by the SLEO program administrator to the secretary or the secretary's designee for review.

(b) After the commission is issued by the secretary or the secretary's designee, a copy of the commission shall be placed in the SLEO's~~officer's~~ file maintained by the cabinet.

(2) The governmental unit shall be notified that the commission has been granted.

(a) One (1) of the original applications and two (2) County Clerk Oath verification forms (SLEO-6) shall be forwarded by the cabinet to the governmental unit whose property is to be protected.

(b) The governmental unit shall arrange for the appointed applicant to take the oath of office.

(3) The appointed applicant shall take:

(a) One (1) of the applications and the two (2) County Clerk Oath verification forms to the county clerk in the county where the applicant is to serve; and

(b) The constitutional oath of office within thirty (30) days after notice of appointment.

(4) The county clerk shall then:

(a) Complete and sign the clerk's attestation on both County Clerk Oath verification forms~~SLEO-6s~~;

(b) Retain the application and one (1) of the County Clerk Oath verification forms, for filing purposes in the county clerk's office; and

- (c) Give the second County Clerk Oath verification form, signed by the clerk, to the applicant.
- (5) The applicant shall return the second County Clerk Oath verification form, signed by the Clerk, to the governmental unit. The governmental unit shall return it to the ~~the cabinet~~ SLEO program administrator within thirty (30) days of the grant of the commission to indicate that the oath was administered and that the application and oath verification form are filed with the county clerk.
- (6) Upon receipt of the oath verification, the commission certificate shall be forwarded by the cabinet to the governmental unit whose property is to be protected.
- (7) If the second County Clerk Oath verification form, signed by the clerk, is not returned to the SLEO program administrator within thirty (30) days of the granting of the commission, the commission shall be null and void and the applicant shall be required to repeat the application process.
- (8) The applicant shall not exercise the authority of a SLEO until the governmental unit has received the commission certificate from the cabinet.
- (9) The commission certificate shall be kept by the governmental unit so long as the ~~SLEO officer~~ is employed or until his or her authority is terminated as a result of the expiration of the commission term or by action of the government unit or the secretary or the secretary's designee.
- (10) The SLEO Commissions shall be issued for a period of two (2) years, **or five (5) years if the SLEO is employed as a facilities security officer with the Kentucky State Police pursuant to KRS 16.187**, if the ~~SLEO officer~~ continues to meet all statutory and regulatory criteria.
- (11) After the governmental unit has received the SLEO commission certificate, the governmental unit shall issue an identification card that shall~~which is to~~ be carried by the SLEO ~~officer~~ whenever he or she is acting under the authority of KRS 61.900-61.930.
- (12) The identification card shall be:
- (a) Presented as requested by any duly sworn peace officer or cabinet official;
 - (b) Subject to control by the cabinet; and
 - (c) Comply with Section 11(4) of this administrative regulation.
- (13) If for any reason a SLEO ~~officer~~ is terminated or otherwise relieved of his or her duties as a SLEO ~~officer~~ by the governmental unit or the cabinet, he or she shall immediately return this identification card to the ~~SLEO's officer's~~ governmental unit.
- (14) The SLEO commission certificate shall be held by the governmental units and shall:
- (a) Be available for inspection by the SLEO program administrator or his or her designee;
 - (b) Remain the property of the cabinet; and
 - (c) Be returned upon the ~~SLEO's officer's~~ authority being withdrawn for any reason.

Section 9. Special Provisions.

- (1) Training pursuant to KRS 61.906(2)(f)2. A SLEO applicant may request approval from the Kentucky Law Enforcement Council (KLEC) for eighty (80) or more hours of training, if that training is not currently approved, by providing documentation verifying successful completion of the training and detailed information concerning the contents of the training to the SLEO program administrator. The training approval request shall be provided to the KLEC to review the request and make a decision.
- (2) Training waiver. A SLEO applicant may apply for a training waiver by providing sufficient proof of past police experience, military records, or examination records that substantiates that the applicant meets the waiver requirements set forth in KRS 61.906(2)(f)2.
- (3) Firearms and First Aid Proficiency. A SLEO applicant shall:

(a) Be certified in first aid and cardiopulmonary resuscitation (CPR) through training provided according to the American Heart Association or the American Red Cross requirements; and

(b) One (1) of the following:

1. Meet the marksmanship qualification requirements for a retired peace officer as specified in KRS 237.140; or
2. Fire twenty (20) rounds at an adult size silhouette target at a range of twenty-one (21) feet, with a handgun, and shall hit the target not less than eleven (11) times. The range test shall be conducted and certified by a firearms instructor trainer or certified firearms instructor trained pursuant to KRS 237.122 or by other firearms instructor program provided by the Department of Criminal Justice Training.

Section 10. Renewals.

(1) A letter of intent from the governmental unit stating its request to renew a commission, ~~and~~ two (2) complete signed and notarized SLEO Renewal Application Forms (SLEO-5), and the renewal application fee required by KRS 61.908(2) for each individual involved shall be filed with the ~~SLEO~~~~[cabinet]~~ program administrator at least sixty (60) days before the expiration date of the existing commission.

(2) The applicant for renewal shall be fingerprinted by an approved vendor and undergo a background investigation to bring the applicant's~~[his]~~ records up-to-date.

(3) In addition to the requirements set forth above in this section, for each renewed commission granted, the governmental unit and SLEO applicant shall comply with the requirements set forth in Section 8 of this administrative regulation.

Section 11. Governmental Units Employing ~~SLEOs~~~~[SLEO Officers]~~ - Records, Reports, and Responsibility.

(1) All governmental units employing ~~SLEOs~~~~[SLEO officers]~~ shall:

(a) Keep their files current as to the expiration date on each ~~SLEO's~~~~[officer's]~~ commission;

(b) Keep the individual ~~SLEO's~~~~[officer's]~~ commission certificates on file, to be returned to the cabinet upon termination of the ~~SLEO~~~~[officer]~~ and his or her authority;

(c) Provide proof to the SLEO program ~~administrator~~~~[coordinator]~~ at the time of request for renewal that its SLEOs:

1. Are currently certified in First Aid and CPR; and
2. Have met the same marksmanship qualification required of certified peace officers in KRS 15.383; and

(d) Mail or email to the SLEO program administrator by June 30 of each year:

1. A current list of all active SLEO personnel; and
2. The number of arrests made or citations issued by the agency the previous calendar year.

(2) The unit shall post a copy of the SLEO administrative regulations, 500 KAR Chapter 2, and a copy of KRS 61.900-61.930, 61.990, and 61.991 of the SLEO Act in a conspicuous location in any office or building that is designated security headquarters for persons operating as ~~SLEOs~~~~[SLEO officers]~~.

(3) Complaints or unusual incidents involving ~~SLEOs~~~~[SLEO officers]~~ shall be handled by the governmental unit whose public property is being protected by the SLEO ~~[officer]~~ ~~involved~~ except:

(a) The governmental unit shall notify the ~~cabinet~~ SLEO program administrator by:

1. Direct verbal communication within twenty-four (24) hours of any reported incident involving the misconduct or unlawful act by any of its ~~SLEOs~~~~[SLEO officers]~~; and
2. A follow-up written report to be filed with the SLEO program administrator, within thirty (30) days of the original oral report, stating the details of the incident

- and listing any action taken by the governmental unit; and
- (b) If formal charges are pending, the governmental unit ~~for agency~~ shall advise the SLEO program administrator as to the specific charge, trial date, and the final disposition of the charge.
- (4) The governmental unit shall issue each SLEO~~officer~~ an identification card upon the individual's appointment. The identification card shall be:
- (a) Encased in plastic;
 - (b) Billfold size (approximately two and one-fourth (2 1/4) inches by three and one-half (3 1/2) inches); and
 - (c) Composed as follows:
 1. One (1) side containing the following language: "The holder of this card ~~is~~**has been** commissioned as a Special Law Enforcement Officer~~-(SLEO)~~, pursuant to KRS 61.902 ~~and~~**and**. ~~As a SLEO, the holder of this card is~~ deemed to be a peace officer within the meaning of KRS 527.020 ~~with and may exercise~~ the powers ~~set forth of a peace officer~~ in ~~accordance with~~ KRS 61.900 to 61.930."; and
 2. The other side containing a full-faced photograph of the SLEO~~officer~~ with his or her:
 - a. Name;
 - b. Identification or notation that the SLEO~~officer~~ has been commissioned a "Special Law Enforcement Officer";
 - c. Governmental unit employing the SLEO~~officer~~;
 - d. Badge number, if any; and
 - e. Signature of the SLEO's~~officer's~~ chief, supervisor, or employer.
- (5) The governmental unit shall obtain and destroy the identification card from any SLEO~~officer~~ whose employment is terminated.

Section 12. Violations.

- (1) All governmental units utilizing SLEO's shall be subject to inspection and investigation by the cabinet as circumstances may warrant for possible violations.
- (2) Violations may result in prosecution and recommendation to the secretary ~~of the cabinet~~ or the secretary's designee that the commission be revoked.

Section 13. Revocation or Suspension of SLEO Commissions.

- (1) A SLEO may have his or her commission suspended or revoked in accordance with KRS 61.910.
- (2) The SLEO program administrator shall notify the secretary or the secretary's designee of any violations of KRS 61.910, who shall send written notice of the alleged violation to the:
 - (a) SLEO; and
 - (b) Governmental unit employing the SLEO.
- (3) The notice of alleged violation shall be sent to the SLEO and employing governmental unit by regular, first-class mail and by certified mail, return receipt requested to their last known addresses.
- (4) The SLEO may request an administrative hearing before suspension or revocation is imposed. The request for hearing shall be in writing and shall be received by the SLEO program administrator within thirty (30) days of receipt by the SLEO of the notice of intent to seek suspension or revocation.
- (5) The secretary or the secretary's designee shall suspend or revoke the commission of a SLEO who fails to request an administrative hearing within the thirty (30) ~~days~~day time period.
- (6) All administrative hearings shall be conducted in accordance with KRS Chapter 13B.
- (7) The cabinet may temporarily suspend the commission of a SLEO prior to holding a hearing pursuant to KRS Chapter 13B if the cabinet believes that the safety of the public

requires that action. If a commission is temporarily suspended prior to holding a hearing pursuant to KRS Chapter 13B, the cabinet shall hold a Chapter 13B hearing not later than thirty (30) days from the date of the temporary suspension unless the SLEO requests an extension for a time certain. If the SLEO requests an extension for a time certain, then the commission shall remain suspended until the conclusion of the hearing.

(8) If a SLEO commission is suspended or revoked:

(a) The SLEO program administrator shall notify the governmental unit involved to return the commission of the SLEO~~[officer]~~;

(b) The governmental unit responsible for the SLEO~~[officer]~~ shall forward a letter to the SLEO~~[officer]~~ stating that:

1. His or her commission has been revoked or suspended; and

2. He or she shall immediately return the SLEO identification card to the governmental unit;

(c) Upon receipt of the card, the governmental unit shall destroy it; and

(d) The SLEO program administrator shall notify the county clerk in the SLEO's~~[officer's]~~ county of jurisdiction of the revocation or suspension.

Section 14. Procedures for Investigating Complaints or Unusual Incidents Involving SLEO Officers.

(1) Complaints or unusual incidents involving SLEO's~~[SLEO officers]~~ shall be handled by the governmental units whose public property is being protected by the SLEO ~~[officer]~~ involved. The governmental unit shall notify the cabinet of all incidents involving their SLEO personnel as required by Section 11(3) of this administrative regulation.

(2) The SLEO program administrator or other assigned officers may investigate ~~[any and all]~~ complaints or unusual incidents involving SLEOs~~[SLEO officers]~~, if there is reason to believe the provisions of KRS 61.900-61.930, 61.990, 61.991, or 500 KAR Chapter 2, or other applicable laws or administrative regulations have been violated and an investigation is necessary.

(3) Any investigation conducted by the cabinet shall become part of the official record of the SLEO ~~[officer]~~ involved.

Section 15. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Special Law Enforcement Officer (SLEO) Application Form", SLEO-1, 2023~~[3/2019]~~;

(b) "Authority to Release Information Form", SLEO-2, 2023~~[3/2019]~~;

(c) "Letter of Intent Form", SLEO-3, 2023~~[3/2019]~~;

(d) "SLEO Acknowledgment Form", SLEO-4, 2023~~[3/2019]~~;

(e) "Special Law Enforcement Officer (SLEO) Renewal Application Form", SLEO-5, 2023~~[3/2019]~~; and

(f) "County Clerk Oath", SLEO-6, 2023~~[3/2019]~~.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Internal Investigations Branch, 125 Holmes Street, Frankfort~~[Kentucky Law Enforcement Council, 521 Lancaster Avenue, Suite 401, Richmond]~~, Kentucky 40601~~[40475]~~, Monday through Friday, 8 a.m. to 4:30 p.m. This material may be viewed on the Justice and Public Safety Cabinet Web site in the SLEO area at <https://justice.ky.gov/Departments-Agencies/iib/Pages/sleo.aspx> or <https://justice.ky.gov/about/pages/lrcfilings.aspx>.

KERRY HARVEY, Secretary

APPROVED BY AGENCY: June 15, 2023

FILED WITH LRC: June 15, 2023 at 9:15 a.m.

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REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person:Nathan Goens

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation provides the application process for Special Law Enforcement Officers (SLEO) to protect specific public property; the responsibilities of employing governmental unit of SLEOs; renewals, suspension & revocation of SLEO commissions; and investigation of complaints or special incidents for SLEOs, pursuant to KRS 61.900-930.

(b) The necessity of this administrative regulation:

As authorized by KRS 61.904, this administrative regulation is needed to carry out the provisions of KRS 61.900 to 61.930.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

As authorized by KRS 61.904, this administrative regulation sets forth the reasonable and necessary provisions to carry out the contents of KRS 61.900 to 61.930.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

This administrative regulation provides the application process for Special Law Enforcement Officers (SLEO) to protect specific public property; the responsibilities of employing governmental units of SLEOs; renewals, suspension & revocation of SLEO commissions; and investigation of complaints or special incidents for SLEOs, pursuant to KRS 61.900-930.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

The amendment adds a definition for governmental unit. It updates terminology throughout and updates the SLEO Program Administrator to the Internal Investigations Branch. The amendment also adds alternative methods to provide notice of violation to the SLEO and updates the SLEO forms.

(b) The necessity of the amendment to this administrative regulation:

The instant amendments to the existing administrative regulation are necessary as it reflects the changing of SLEO Program Administrator from the Kentucky Law Enforcement Council to the Internal Investigations Branch.

(c) How the amendment conforms to the content of the authorizing statutes:

The amendment to the existing administrative regulation updated the SLEO Program Administrator to the Internal Investigations Branch as reasonable and necessary to carry out the provisions of KRS 61.900-930 as authorized by KRS 61.904.

(d) How the amendment will assist in the effective administration of the statutes:

The amendment streamlines the SLEO commission process; addresses changes to the entity responsible for SLEO program administration; provides updates to the renewal, suspension, and revocation process of SLEO commissions; and sets forth updates related to the investigation of complaints or special incidents for SLEOs.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

The Capitol police, the Capital Plaza police, public school district security officers, public airport authority security officers, and the officers of the other public security forces established for the purpose of protecting specific public property.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:

The governmental units and their applying employees will have to comply with the application process and other program requirements to be commissioned and renew commissions.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

The fees are established by statute (KRS 61.908) and are not imposed by the regulation. There is an initial \$25.00 application fee to be paid to the Kentucky State Treasurer. The commissions must be renewed every two years requiring a \$25.00 fee. There is a \$15.00 written exam fee, \$20.00 practical exam fee, and reasonable training fees to be paid by the applicant.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

They will have a commissioned officer for the protection of their public property with law enforcement authority.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

This regulation has already been implemented and there will only be nominal costs related to these amendments.

(b) On a continuing basis:

There will no costs to the administrative body for continual implementation of this administrative regulation.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:

The cost is part of the budget for the Justice and Public Safety Cabinet.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

There will not be a need to increase fees, which are established by statute (KRS 61.908) and are not imposed by the regulation itself.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

The administrative regulation does not establish any fees. Fees associated with SLEO are established in KRS 61.908.

(9) TIERING: Is tiering applied?

No. Tiering was not appropriate in this administrative regulation because the administrative regulation applies equally to all those individuals or entities regulated

by it.

FISCAL NOTE

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation?

The administrative regulation will impact the Capitol police, the Capital Plaza police, public school district security officers, public airport authority security officers, and the officers of the other public security forces established for the purpose of protecting specific public property.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.

KRS 61.900-61.930

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year?

The fees are established by statute (KRS 61.908) and are not imposed by the regulation. However, for every SLEO commission, there is an initial \$25.00 application fee to be paid to the Kentucky State Treasurer. The commissions must be renewed every two years requiring a \$25.00 fee. There is also a \$15.00 written exam fee, \$20.00 practical exam fee, and reasonable training fees to be paid by the applicant.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years?

The fees are established by statute (KRS 61.908) and are not imposed by the regulation. However, for every SLEO commission, there is an initial \$25.00 application fee to be paid to the Kentucky State Treasurer. The commissions must be renewed every two years requiring a \$25.00 fee. There is also a \$15.00 written exam fee, \$20.00 practical exam fee, and reasonable training fees to be paid by the applicant.

(c) How much will it cost to administer this program for the first year?

The cost associated with administering the program, including application review and investigation, for the first year is approximately \$36,500.00.

(d) How much will it cost to administer this program for subsequent years?

The cost associated with administering the program, including application review and investigation, is approximately \$36,500.00 for each subsequent year.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):0

Expenditures (+/-):0

Other Explanation:

The fees are established by statute (KRS 61.908) and are not imposed by the regulation.

(4) Estimate the effect of this administrative regulation on the expenditures and cost savings of regulated entities for the first full year the administrative regulation is to be in effect.

(a) How much cost savings will this administrative regulation generate for the regulated entities for the first year?

The administrative regulation is not anticipated to generate any cost savings for the regulated entity for the first year.

(b) How much cost savings will this administrative regulation generate for the regulated entities for subsequent years?

The administrative regulation is not anticipated to generate any cost savings for the regulated entity for subsequent years.

(c) How much will it cost the regulated entities for the first year?

The fees associated with the SLEO Program are established by statute (KRS 61.908) and are not imposed by the regulation. However, for every SLEO commission, there is an initial \$25.00 application fee to be paid to the Kentucky State Treasurer. The commissions must be renewed every two years requiring a \$25.00 fee. There is also a \$15.00 written exam fee, \$20.00 practical exam fee, and reasonable training fees to be paid by the applicant. for the first year. It is anticipated completion of the application to take around one (1) hour.

(d) How much will it cost the regulated entities for subsequent years?

The fees associated with the SLEO Program are established by statute (KRS 61.908) and are not imposed by the regulation. However, for every SLEO commission, there is an initial \$25.00 application fee to be paid to the Kentucky State Treasurer. The commissions must be renewed every two years requiring a \$25.00 fee. There is also a \$15.00 written exam fee, \$20.00 practical exam fee, and reasonable training fees to be paid by the applicant. for the first year. It is anticipated completion of the application to take around one (1) hour.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Cost Savings (+/-):

Expenditures (+/-):

Other Explanation:

(5) Explain whether this administrative regulation will have a major economic impact, as defined below.

"Major economic impact" means an overall negative or adverse economic impact from an administrative regulation of five hundred thousand dollars (\$500,000) or more on state or local government or regulated entities, in aggregate, as determined by the promulgating administrative bodies. [KRS 13A.010(13)] This administrative regulation is not anticipated to have a major economic impact.