

## **61.900 Definitions for KRS 61.902 to 61.930.**

As used in KRS 61.902 to 61.930:

- (1) "Commission" means a commission issued to an individual by the secretary of justice and public safety, entitling the individual to perform special law enforcement duties on public property;
- (2) "Council" means the Kentucky Law Enforcement Council;
- (3) "Cabinet" means the Justice and Public Safety Cabinet;
- (4) "Public property" means property currently owned or used by any organizational unit or agency of state, county, city, metropolitan government, or a combination of these. The term shall include property currently owned or used by public airport authorities;
- (5) "Secretary" means the secretary of the Justice and Public Safety Cabinet;
- (6) "Special law enforcement officer":
  - (a) Means one whose duties include the protection of specific public property from intrusion, entry, larceny, vandalism, abuse, intermeddling, or trespass;
  - (b) Means one whose duties include the prevention, observation, or detection of, or apprehension for, any unlawful activity on specific public property;
  - (c) Means one whose special duties include the control of the operation, speed, and parking of motor vehicles, bicycles, and other vehicles, and the movement of pedestrian traffic on specific public property;
  - (d) Means one whose duties include the answering of any intrusion alarm on specific public property;
  - (e) Shall include the Capitol police, the Capital Plaza police, school resource officers as defined in KRS 158.441 who are employed directly by a local board of education, public airport authority security officers, and the officers of the other public security forces established for the purpose of protecting specific public property; and
  - (f) Shall not include members of a lawfully organized police unit or police force of state, county, city, or metropolitan government, or a combination of these, who are responsible for the detection of crime and the enforcement of the general criminal law enforcement of the state; it shall not include any of the following officials or officers:
    1. Sheriffs, sworn deputy sheriffs, constables, sworn deputy constables, and coroners;
    2. Auxiliary and reserve police appointed under KRS 95.160 or 95.445, or citation and safety officers authorized by KRS 83A.087 and 83A.088;
    3. State park rangers and officers of the Division of Law Enforcement within the Department of Fish and Wildlife Resources;
    4. Officers of the Transportation Cabinet responsible for law enforcement;
    5. Officers of the Department of Corrections responsible for law enforcement;

6. Fire marshals and deputy fire marshals;
  7. Other officers not mentioned above who are employed directly by state government and are responsible for law enforcement;
  8. Federal peace officers;
  9. Those campus security officers who are commissioned under KRS 164.950;
  10. Private security guards, private security patrolmen, and investigators licensed pursuant to state statute; and
  11. Railroad policemen covered by KRS 277.270 and 277.280; and
- (7) "Sworn public peace officer" means one who derives plenary or special law enforcement powers from, and is a full-time employee of, the federal government, the Commonwealth, or any political subdivision, agency, department, branch, or service of either, or of any municipality.

**Effective:** June 27, 2019

**History:** Amended 2019 Ky. Acts ch. 5, sec. 12, effective March 11, 2019; and ch. 44, sec. 3, effective June 27, 2019. -- Amended 2007 Ky. Acts ch. 85, sec. 132, effective June 26, 2007. -- Amended 1998 Ky. Acts ch. 23, sec. 13, effective July 15, 1998. -- Amended 1992 Ky. Acts ch. 48, sec. 4, effective July 14, 1992; ch. 211, sec. 13, effective July 14, 1992; and ch. 435, sec. 2, effective July 14, 1992. -- Amended 1986 Ky. Acts ch. 331, sec. 15, effective July 15, 1986. -- Amended 1980 Ky. Acts ch. 188, sec. 20, effective July 15, 1980. -- Created 1976 Ky. Acts ch. 178, sec. 2, effective January 1, 1977.

**Legislative Research Commission Note (6/27/2019).** This statute was amended by 2019 Ky. Acts chs. 5 and 44, which do not appear to be in conflict and have been codified together.