

150.090 Commissioner's power and duty to appoint all conservation officers considered to be necessary for the efficient administration of the department -- Each conservation officer is individually vested with the powers of a peace officer in all parts of the state -- Employment contract permitted.

- (1) The commissioner shall appoint, promote, or take other employment actions to the ranks, grades, and positions of the department conservation officers who are considered by the commissioner to be necessary for the efficient administration of the department.
- (2) Conservation officers appointed by the commissioner shall have full powers as peace officers for the enforcement of all of the laws of the Commonwealth, including the administrative regulations promulgated pursuant to KRS Chapters 150 and 235 and to serve process.
- (3) Each conservation officer is individually vested with the powers of a peace officer and shall have in all parts of the state the same powers with respect to criminal matters and enforcement of the laws relating thereto as sheriffs, constables, and police officers in their respective jurisdictions, and shall possess all the immunities and matters of defense now available or hereafter made available to sheriffs, constables, and police officers in any suit brought against them in consequence of acts done in the course of their employment and within the scope of their duties. Any warrant of arrest may be executed by any officer of the department.
- (4) Conservation officers charged with the enforcement of this chapter and the administrative regulations issued thereunder shall have the right to go upon the land of any person or persons whether private or public for the purpose of the enforcement of laws or orders of the department relating to game or fish, while in the normal, lawful and peaceful pursuit of such investigation or work or enforcement, may enter upon, cross over, be upon, and remain upon privately owned lands for such purposes, and shall not be subject to arrest for trespass while so engaged or for such cause thereafter. They may arrest on sight, without warrant, any person detected by them in the act of violating any of the provisions of this chapter. They shall have the same rights as sheriffs to require aid in arresting with or without process any person found by them violating any of the provisions of this chapter and may seize without process anything declared by this chapter to be contraband. No liability shall be incurred by any person charged or directed in the enforcement of this chapter.
- (5) Conservation officers and other officers charged with the enforcement of this chapter, shall have the authority to call for and inspect the license or tag, bag or creel of any person engaged in any activity for the performance of which a license is required under this chapter, and shall also have the authority to take proper identification of any person, or hunter, or fisherman who is actually engaged in any of these activities, and to call for and inspect any and all firearms and any other device that may be used in taking wildlife and is in the possession of any person so engaged.
- (6) No person shall resist, obstruct, interfere with or threaten or attempt to intimidate or in any other manner interfere with any officer in the discharge of his duties under the provisions of this chapter. This subsection shall not apply to a criminal

homicide or an assault upon such officer. An assault upon such officer shall be deemed an offense under KRS Chapter 507 or 508, as appropriate.

- (7) The commissioner may, as a condition of employment, require a newly appointed department conservation officer to enter into an employment contract for a period of no longer than five (5) years from the date of appointment. If a department conservation officer who entered into a contract authorized under this subsection accepts employment as a peace officer with another law enforcement agency, that law enforcement agency shall reimburse the department for the actual costs incurred and expended by the department that are associated with the initial hiring of that department conservation officer, including but not limited to the application process, training costs, equipment costs, salary, and fringe benefits. The department shall be reimbursed for the costs from the time of department conservation officer initial application until appointment.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 69, sec. 3, effective June 29, 2023. -- Amended 2019 Ky. Acts ch. 167, sec. 2, effective June 27, 2019. -- Amended 1986 Ky. Acts ch. 424, sec. 1, effective July 15, 1986. -- Amended 1968 Ky. Acts ch. 38, sec. 3 -- Amended 1956 Ky. Acts ch. 115, sec. 7 -- Amended 1952 Ky. Acts ch. 200, sec. 14 - - Amended 1942 Ky. Acts ch. 68, sec. 9 -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 1954d-9.