

AN ACT relating to background checks for search and rescue personnel.

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

➔Section 1. KRS 17.167 is amended to read as follows:

- (1) As used in this section, "felony offender" means any person who has been convicted of, entered an Alford plea to, or pleaded guilty to the commission of a capital offense or a felony.
- (2) Any paid or volunteer fire department certified by the Commission on Fire Protection Personnel Standards and Education, ambulance service licensed by the Commonwealth of Kentucky, or rescue squad officially affiliated with a local disaster and emergency services organization or with the Division of Emergency Management may apply to the Justice and Public Safety Cabinet or the Administrative Office of the Courts for a felony offender record check on applicants for employment or membership with the fire department, ambulance service, or rescue squad.
- (3) Each application form, provided by a fire department, ambulance service, or rescue squad to an applicant for employment or membership, shall conspicuously state the following: "FOR EMPLOYMENT WITH OR MEMBERSHIP WITH A FIRE DEPARTMENT, AMBULANCE SERVICE, OR RESCUE SQUAD, STATE LAW PERMITS A CRIMINAL RECORD CHECK AS A CONDITION OF EMPLOYMENT OR MEMBERSHIP."
- (4) Any request for records under this section shall be on a form approved by the Justice and Public Safety Cabinet or the Administrative Office of the Courts. The Justice and Public Safety Cabinet and the Administrative Office of the Courts shall not charge a fee for making record checks.
- (5) *A registrant as is defined in KRS 17.500 shall be ineligible to serve as a paid or volunteer rescue squad member.***

➔Section 2. KRS 39F.210 is amended to read as follows:

(1) The Division of Emergency Management may promulgate administrative regulations which address minimum training requirements and standards of response for individuals, agencies, and organizations who respond to the following search and rescue missions:

- (a)~~[(1)]~~ Searching for missing, lost, or overdue person or persons;
- (b)~~[(2)]~~ Cave rescue;
- (c)~~[(3)]~~ Dive rescue and recovery of drowning victims;
- (d)~~[(4)]~~ Inland water search, rescue, and recovery;
- (e)~~[(5)]~~ Search dogs and handlers; testing and certification;
- (f)~~[(6)]~~ Urban search and rescue; and
- (g)~~[(7)]~~ High angle or rough terrain rescue and recovery.

(2) *The Division of Emergency Management shall promulgate administrative regulations requiring local search and rescue coordinators to:*

- (a) *Query the Web site established under KRS 17.580 on each paid or volunteer member of rescue squads within the coordinator's jurisdiction at the time of the member's initial application and quarterly thereafter; and*
- (b) *Report to the state coordinator for search and rescue quarterly to ensure that no registrants are serving on rescue squads as prohibited in Section 1 of this Act.*