

1 AN ACT relating to special deputies.

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

3 ➔Section 1. KRS 70.045 is amended to read as follows:

4 (1) **(a)** The sheriff of a county with a population of ten thousand (10,000) or more  
5 may appoint and have sworn in and entered on the county clerk order book

6 **either:**

7 **1.** One (1) special deputy for each two thousand five hundred (2,500)  
8 residents or part thereof in his county; **or**

9 **2. Up to a maximum of ten (10) special deputies, regardless of the**  
10 **population of the county,**

11 ~~to~~to assist him with general law enforcement and maintenance of public order.

12 **(b)** The sheriff of a county with a population of less than ten thousand (10,000)  
13 may appoint and have sworn in and entered on the county clerk order book  
14 one (1) special deputy for each one thousand (1,000) residents or part thereof  
15 in his county, to assist him with general law enforcement and maintenance of  
16 public order.

17 The population of the county shall be determined by the most recent count or  
18 estimate by the Federal Bureau of Census.

19 (2) The sheriff in each county may appoint and have sworn in, and entered on the  
20 county clerk order book, as many special deputies as needed to assist him in the  
21 execution of his duties and office in preparation for or during an emergency  
22 situation, such as fire, flood, tornado, storm, or other such emergency situations. For  
23 purposes of this section only, an emergency situation is a condition which, in the  
24 judgment of the sheriff, requires a response immediately necessary for the  
25 preservation of public peace, health or safety, utilizing special deputies previously  
26 appointed in preparation for the contingency.

27 (3) The special deputy shall:

- 1 (a) Be appointed and dismissed on the authority of the sheriff;
- 2 (b) Not receive any monetary compensation for his time or services;
- 3 (c) Serve at the request of the sheriff, unless personal conditions rule otherwise;
- 4 (d) Be answerable to and under the supervision of the sheriff, who shall be
- 5 responsible for the actions of the special deputy; and
- 6 (e) Be appointed regardless of race, color, creed, or position.
- 7 (4) The position of special deputy as created and defined in subsections (1), (2), and (3)
- 8 is subject to the provisions of this section only.