

1 AN ACT relating to reemployment of retirees with county police departments.

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

3 ➔Section 1. KRS 70.292 is amended to read as follows:

4 (1) A **county police department or** county sheriff's office in the Commonwealth of
5 Kentucky may employ police officers who have retired under the State Police
6 Retirement System, Kentucky Employees Retirement System, or the County
7 Employees Retirement System as provided by KRS 70.291 to 70.293.

8 (2) An individual employed under KRS 70.291 to 70.293 shall have:

9 (a) 1. Participated in the Law Enforcement Foundation Program fund under
10 KRS 15.410 to 15.515; or

11 2. Retired as a commissioned officer pursuant to KRS Chapter 16;

12 (b) Retired with at least twenty (20) years of service credit;

13 (c) Been separated from service for the period required by KRS 61.637 so that the
14 member's retirement is not voided;

15 (d) Retired with no administrative charges pending; and

16 (e) Retired with no pre-existing agreement between the individual and the **county**
17 **police department or the** sheriff's office prior to the individual's retirement for
18 the individual to return to work for the **county police department or the**
19 sheriff's office.

20 ➔Section 2. KRS 70.293 is amended to read as follows:

21 (1) Individuals employed under KRS 70.291 to 70.293 shall:

22 (a) Serve for a term not to exceed one (1) year. The one (1) year employment
23 term may be renewed annually at the discretion of the employing **county police**
24 **department or** sheriff's office;

25 (b) Receive compensation according to the standard procedures applicable to the
26 employing **county police department or** sheriff's office; and

27 (c) Be employed based upon need as determined by the **county police department**

1 or the employing sheriff's office.

2 (2) Notwithstanding any provisions of KRS 16.505 to 16.652, 18A.225 to 18A.2287,
3 61.510 to 61.705, or 78.510 to 78.852 to the contrary:

4 (a) Individuals employed under KRS 70.291 to 70.293 shall continue to receive all
5 retirement and health insurance benefits to which they were entitled upon
6 retiring in the applicable system administered by Kentucky Retirement
7 Systems;

8 (b) Individuals employed under KRS 70.291 to 70.293 shall not be eligible to
9 receive health insurance coverage through the county police department, the
10 sheriff's office, or the fiscal court of the county police department or sheriff's
11 office[county];

12 (c) The county police department, sheriff's office, or fiscal court of the county
13 police department or sheriff's office shall not pay any employer contributions
14 or retiree health expense reimbursements to the Kentucky Retirement Systems
15 required by KRS 61.637(17) for individuals employed under KRS 70.291 to
16 70.293; and

17 (d) The county police department, sheriff's office, or fiscal court of the county
18 police department or sheriff's office shall not pay any insurance contributions
19 to the state health insurance plan, as provided by KRS 18A.225 to 18A.2287,
20 for individuals employed under KRS 70.291 to 70.293.

21 (3) Individuals employed under KRS 70.291 to 70.293 shall be subject to any merit
22 system, civil service, or other legislative due process provisions applicable to the
23 county police department or sheriff's office. A decision not to renew a one (1) year
24 appointment term under this section shall not be considered a disciplinary action or
25 deprivation subject to due process.