

1 AN ACT relating to supplemental payments to police officers.

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

3 ➔Section 1. KRS 15.420 is amended to read as follows:

4 As used in KRS 15.410 to 15.510, unless the context otherwise requires:

5 (1) "Cabinet" means the Justice and Public Safety Cabinet;

6 (2) (a) "Police officer" means:

7 1. A local officer, limited to:

8 a. A full-time:

9 i. Member of a lawfully organized police department of county,  
10 urban-county, or city government; or

11 ii. Sheriff or full-time deputy sheriff, including any sheriff  
12 providing court security or appointed under KRS 70.030;~~or~~

13 b. A school resource officer as defined in KRS 158.441; ~~or~~~~and~~

14 **c. One of the following who is otherwise eligible for an annual**  
15 **supplement, but who does not receive one:**

16 **i. An officer serving on a joint task force;**

17 **ii. An investigator employed by a county attorney in a**  
18 **consolidated local government;**

19 **iii. An investigator employed by a county attorney; and**

20 **iv. A process server for juvenile courts within a consolidated**  
21 **local government; and**

22 2. A state officer, limited to:

23 a. A public university police officer;

24 b. A Kentucky state trooper;

25 c. A Kentucky State Police arson investigator;

26 d. A Kentucky State Police hazardous device investigator;

27 e. A Kentucky State Police legislative security specialist;

- 1 f. A Kentucky vehicle enforcement officer;
- 2 g. A Kentucky Horse Park mounted patrol officer, subject to KRS
- 3 15.460(1)(f);
- 4 h. A Kentucky state park ranger, subject to KRS 15.460(1)(f);
- 5 i. An agriculture investigator;
- 6 j. A charitable gaming investigator;
- 7 k. An alcoholic beverage control investigator;
- 8 l. An insurance fraud investigator;
- 9 m. An Attorney General investigator;~~and~~
- 10 n. A Kentucky Department of Fish and Wildlife Resources
- 11 conservation officer, subject to KRS 15.460(1)(e); **and**
- 12 **o. Any investigator for a Commonwealth attorney who would**
- 13 **otherwise be eligible for a supplement but who does not receive**
- 14 **one;**
- 15 who is responsible for the prevention and detection of crime and the
- 16 enforcement of the general criminal laws of the state;
- 17 (b) "Police officer" does not include any sheriff who earns the maximum
- 18 constitutional salary for this office, any special deputy sheriff appointed under
- 19 KRS 70.045, any constable, deputy constable, district detective, deputy district
- 20 detective, special local peace officer, auxiliary police officer, or any other
- 21 peace officer not specifically authorized in KRS 15.410 to 15.510;
- 22 (3) "Police department" means the employer of a police officer;
- 23 (4) "Retirement plan" means a defined benefit plan consisting of required employer
- 24 contributions pursuant to KRS 61.565, 61.702, or any other provision of law;
- 25 (5) "Unit of government" means any city, county, combination of cities and counties,
- 26 public university, state agency, local school district, or county sheriff's office of the
- 27 Commonwealth; and

1 (6) "Validated job task analysis" means the core job description that describes the  
2 minimum entry level requirements, qualifications, and training requirements for  
3 peace officers in the Commonwealth, and that is based upon an actual survey and  
4 study of police officer duties and responsibilities conducted by an entity recognized  
5 by the council as being competent to conduct such a study.

6 ➔Section 2. KRS 15.440 is amended to read as follows:

7 (1) Each unit of government that meets the following requirements shall be eligible to  
8 share in the distribution of funds from the Law Enforcement Foundation Program  
9 fund:

10 (a) Employs one (1) or more police officers;

11 (b) Pays every police officer at least the minimum federal wage;

12 (c) Requires all police officers to have, at a minimum, a high school degree, or its  
13 equivalent as determined by the council, except that each police officer  
14 employed prior to the date on which the officer's police department was  
15 included as a participant under KRS 15.410 to 15.510 shall be deemed to have  
16 met the requirements of this subsection;

17 (d) 1. Requires all police officers to successfully complete a basic training  
18 course of nine hundred twenty-eight (928) hours' duration within one (1)  
19 year of the date of employment at a school certified or recognized by the  
20 council, which may provide a different number of hours of instruction as  
21 established in this paragraph, except that each police officer employed  
22 prior to the date on which the officer's police department was included  
23 as a participant under KRS 15.410 to 15.510 shall be deemed to have  
24 met the requirements of this subsection.

25 2. As the exclusive method by which the number of hours required for  
26 basic training courses shall be modified from that which is specifically  
27 established by this paragraph, the council may, by the promulgation of

1 administrative regulations in accordance with the provisions of KRS  
2 Chapter 13A, explicitly set the exact number of hours for basic training  
3 at a number different from nine hundred twenty-eight (928) hours based  
4 upon a training curriculum approved by the Kentucky Law Enforcement  
5 Council as determined by a validated job task analysis.

6 3. If the council sets an exact number of hours different from nine hundred  
7 twenty-eight (928) in an administrative regulation as provided by this  
8 paragraph, it shall not further change the number of hours required for  
9 basic training without promulgating administrative regulations in  
10 accordance with the provisions of KRS Chapter 13A.

11 4. Nothing in this paragraph shall be interpreted to prevent the council,  
12 pursuant to its authority under KRS 15.330, from approving training  
13 schools with a curriculum requiring attendance of a number of hours that  
14 exceeds nine hundred twenty-eight (928) hours or the number of hours  
15 established in an administrative regulation as provided by subparagraphs  
16 2. and 3. of this paragraph. However, the training programs and schools  
17 for the basic training of law enforcement personnel conducted by the  
18 department pursuant to KRS 15A.070 shall not contain a curriculum that  
19 requires attendance of a number of hours for basic training that is  
20 different from nine hundred twenty-eight (928) hours or the number of  
21 hours established in an administrative regulation promulgated by the  
22 council pursuant to the provisions of KRS Chapter 13A as provided by  
23 subparagraphs 2. and 3. of this paragraph.

24 5. KRS 15.400 and 15.404(1), and subparagraphs 1. to 4. of this paragraph  
25 to the contrary notwithstanding, the council may, through the  
26 promulgation of administrative regulations in accordance with KRS  
27 Chapter 13A, approve basic training credit for:

- 1           a.    Years of service credit as a law enforcement officer with previous  
2                    service in another state; and
- 3           b.    Basic training completed in another state;
- 4       (e)   Requires all police officers to successfully complete each calendar year an in-  
5       service training course, appropriate to the officer's rank and responsibility and  
6       the size and location of the officer's police department, of forty (40) hours'  
7       duration, of which the number of hours shall not be changed by the council, at  
8       a school certified or recognized by the council. This requirement shall be  
9       waived for the period of time that a peace officer is serving on active duty in  
10      the United States Armed Forces. This waiver shall be retroactive for peace  
11      officers from the date of September 11, 2001;
- 12      (f)   Complies with all provisions of law applicable to police officers or police  
13      departments, including transmission of data to the centralized criminal history  
14      record information system as required by KRS 17.150 and transmission of  
15      reports as required by KRS 15.391;
- 16      (g)   Complies with all rules and regulations, appropriate to the size and location of  
17      the police department issued by the cabinet to facilitate the administration of  
18      the fund and further the purposes of KRS 15.410 to 15.510;
- 19      (h)   Possesses a written policy and procedures manual related to domestic violence  
20      for law enforcement agencies that has been approved by the cabinet. The  
21      policy shall comply with the provisions of KRS 403.715 to 403.785. The  
22      policy shall include a purpose statement; definitions; supervisory  
23      responsibilities; procedures for twenty-four (24) hour access to protective  
24      orders; procedures for enforcement of court orders or relief when protective  
25      orders are violated; procedures for timely and contemporaneous reporting of  
26      adult abuse and domestic violence to the Cabinet for Health and Family  
27      Services, Department for Community Based Services; victim rights,

1 assistance, and service responsibilities; and duties related to timely completion  
2 of records;~~and~~

3 (i) Possesses by January 1, 2017, a written policy and procedures manual related  
4 to sexual assault examinations that meets the standards provided by, and has  
5 been approved by, the cabinet, and which includes:

- 6 1. A requirement that evidence collected as a result of an examination  
7 performed under KRS 216B.400 be taken into custody within five (5)  
8 days of notice from the collecting facility that the evidence is available  
9 for retrieval;
- 10 2. A requirement that evidence received from a collecting facility relating  
11 to an incident which occurred outside the jurisdiction of the police  
12 department be transmitted to a police department with jurisdiction  
13 within ten (10) days of its receipt by the police department;
- 14 3. A requirement that all evidence retrieved from a collecting facility under  
15 this paragraph be transmitted to the Department of Kentucky State  
16 Police forensic laboratory within thirty (30) days of its receipt by the  
17 police department;
- 18 4. A requirement that a suspect standard, if available, be transmitted to the  
19 Department of Kentucky State Police forensic laboratory with the  
20 evidence received from a collecting facility; and
- 21 5. A process for notifying the victim from whom the evidence was  
22 collected of the progress of the testing, whether the testing resulted in a  
23 match to other DNA samples, and if the evidence is to be destroyed. The  
24 policy may include provisions for delaying notice until a suspect is  
25 apprehended or the office of the Commonwealth's attorney consents to  
26 the notification, but shall not automatically require the disclosure of the  
27 identity of any person to whom the evidence matched;

1            (j) Any task force, agency or department employing officers subject to  
2            subdivision c. of subsection (2)(a) of Section 1 of this Act. Employers  
3            of these officers shall be reimbursed for the Federal Insurance  
4            Contributions Act tax and retirement plan contributions that  
5            employers are required to make to defined benefit pension plans; and

6            (k) Any Commonwealth attorney employing officers subject to  
7            subparagraph 2 of subsection (2)(a) of section 1 of this Act. Employers  
8            of these officers shall be reimbursed for the Federal Insurance  
9            Contributions Act tax and retirement plan contributions that  
10           employers are required to make to defined benefit pension plans.

11        (2) A unit of government which meets the criteria of this section shall be eligible to  
12        continue sharing in the distribution of funds from the Law Enforcement Foundation  
13        Program fund only if the police department of the unit of government remains in  
14        compliance with the requirements of this section.

15        (3) Deputies employed by a sheriff's office shall be eligible to participate in the  
16        distribution of funds from the Law Enforcement Foundation Program fund  
17        regardless of participation by the sheriff.

18        (4) Failure to meet a deadline established in a policy adopted pursuant to subsection  
19        (1)(i) of this section for the retrieval or submission of evidence shall not be a basis  
20        for a dismissal of a criminal action or a bar to the admissibility of the evidence in a  
21        criminal action.