

1 AN ACT relating to peace officer professional certification.

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

3 ➔Section 1. KRS 15.400 is amended to read as follows:

- 4 (1) The effective date of KRS 15.380 to 15.404 shall be December 1, 1998. All peace  
5 officers employed as of December 1, 1998, shall be deemed to have met all the  
6 requirements of KRS 15.380 to 15.404 and shall be granted certified status as long  
7 as they:
- 8 (a) Remain in continuous employment of *a law enforcement*~~the~~ agency *subject*  
9 *to KRS 15.380 to 15.404* by which they were employed as of December 1,  
10 1998, and are employed within *five (5) years from the date of separation with*  
11 *that agency*~~one hundred (100) days~~ by another law enforcement agency  
12 subject to ~~the provisions of~~ KRS 15.380 to 15.404;
- 13 (b) *Resigned, or are terminated from employment with certified status on or*  
14 *after the effective date of this Act, and are reemployed by a law enforcement*  
15 *agency subject to KRS 15.380 to 15.404 no later than five (5) years after*  
16 *resignation or termination;*
- 17 (c) Retired from employment with certified status on or after *the effective date of*  
18 *this Act*~~July 1, 2008~~, and are reemployed no later than *five (5) years after*  
19 *retirement*~~one hundred (100) days from March 15, 2011~~, by a law  
20 enforcement agency subject to KRS 15.380 to 15.404; or
- 21 ~~(d)~~~~(e)~~ Have successfully completed an approved basic training course  
22 approved and recognized by the Kentucky Law Enforcement Council pursuant  
23 to KRS 15.440(1)(d) when seeking employment with another law enforcement  
24 agency.
- 25 (2) Any peace officers employed after December 1, 1998, shall comply with all  
26 minimum standards specified in KRS 15.380 to 15.404. Persons newly employed or  
27 appointed after December 1, 1998, shall have one (1) year within which to gain

1 certified status or they shall lose their law enforcement powers.

2 (3) The Open Records Act notwithstanding, the person's home address, telephone  
3 number, date of birth, Social Security number, background investigation, medical  
4 examination, psychological examination, and polygraph examination conducted for  
5 any person seeking certification pursuant to KRS 15.380 to 15.404 shall not be  
6 subject to disclosure.

7 **(4) A law enforcement agency subject to KRS 15.380 to 15.404 shall not use the fact**  
8 **that an applicant for a position requiring certification under KRS 15.380 to**  
9 **15.404 is certified under subsection (1) of this section as a factor for an**  
10 **employment decision as long as the person remains certified.**