

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2021 REGULAR SESSION
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Amend printed copy of **SB 80/GA**

On page 9, after line 2, insert the following:

"➔SECTION 5. A NEW SECTION OF KRS CHAPTER 15 IS CREATED TO READ
AS FOLLOWS:

(1) As used in this section:

(a) "Agency" means any law enforcement agency or local government that employs peace officers;

(b) "Local legislative body" means the chief governing body of a city, county, consolidated local government, urban-county government, charter county government, or unified local government which has legislative powers; and

(c) "Retaliatory personnel action" means any action that may result in the suspension, termination, decertification, or reduction in grade of a peace officer.

(2) A peace officer shall intervene to prevent or stop another peace officer from using physical force that he or she reasonably believes will cause unlawful serious physical injury, death, or deprivation of civil rights under the color of law.

(3) A peace officer who intervenes as required under subsection (2) of this section shall:

(a) Provide or obtain emergency medical assistance for any person who has been injured as a result of the use of physical force; and

(b) Report the intervention to the chief law enforcement officer of the agency or to the

Amendment No. HFA 2

Rep. Rep. Nima Kulkarni

Committee Amendment _____

Floor Amendment _____

Adopted: _____

Rejected: _____

Signed: _____

LRC Drafter: _____

Date: _____

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local legislative body. The report shall:

- 1. Include the date, time, and location of the intervention, the identity and description of the participants, and a description of the intervention actions taken; and**
 - 2. Be made in writing within ten (10) days of the occurrence of the use of force.**
- (4) Any peace officer who is present and who reasonably believes that serious physical injury, death, or deprivation of civil rights under the color of law by the use of physical force has occurred shall provide or obtain emergency medical assistance.**
- (5) Any peace officer who in good faith intervenes as required by subsection (2) of this section shall have immunity from any civil or criminal liability.**
- (6) An agency or the council as defined in KRS 15.310 shall not take any retaliatory personnel action against a peace officer who intervenes as required by subsection (2) of this section.**
- (7) Any peace officer who is subject to unlawful retaliatory personnel action for intervening as required by subsection (2) of this section may bring a civil action for actual and punitive damages, court costs, and reasonable attorney's fees."**