

1 AN ACT relating to the certification of peace officers.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 15 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) Any person who is at least twenty (20) years of age shall be eligible to be*
6 *employed by a law enforcement agency for the purpose of attending a basic*
7 *training course as defined in KRS 15.310 if he or she will be twenty-one (21)*
8 *years of age at the time of becoming certified under KRS 15.380 to 15.404.*

9 *(2) The Kentucky Law Enforcement Council shall allow a person employed under*
10 *subsection (1) of this section to attend a basic training course as defined in KRS*
11 *15.310 if the person will be twenty-one (21) years of age by the conclusion of the*
12 *basic training course.*

13 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 67C IS CREATED TO
14 READ AS FOLLOWS:

15 *(1) Any person who is at least twenty (20) years of age shall be eligible to be*
16 *employed by a consolidated local government police force for the purpose of*
17 *attending a basic training course as defined in KRS 15.310 if he or she will be*
18 *twenty-one (21) years of age at the time of becoming certified under KRS 15.380*
19 *to 15.404.*

20 *(2) The Kentucky Law Enforcement Council shall allow a person employed under*
21 *subsection (1) of this section to attend a basic training course as defined in KRS*
22 *15.310 if the person will be twenty-one (21) years of age by the conclusion of the*
23 *basic training course.*

24 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 95 IS CREATED TO
25 READ AS FOLLOWS:

26 *(1) Any person who is at least twenty (20) years of age shall be eligible to be*
27 *employed by an urban-county government police force for the purpose of*

1 attending a basic training course as defined in KRS 15.310 if he or she will be
2 twenty-one (21) years of age at the time of becoming certified under KRS 15.380
3 to 15.404.

4 (2) The Kentucky Law Enforcement Council shall allow a person employed under
5 subsection (1) of this section to attend a basic training course as defined in KRS
6 15.310 if the person will be twenty-one (21) years of age by the conclusion of the
7 basic training course.

8 ➔Section 4. KRS 15.386 is amended to read as follows:

9 The following certification categories shall exist:

10 (1) "Precertification status" means that the officer is currently employed or appointed
11 by an agency and:

12 (a) Meets or exceeds all those minimum qualifications set forth in KRS 15.382,
13 but has not successfully completed a basic training course, except those peace
14 officers covered by KRS 15.400. Upon the council's verification that the
15 minimum qualifications have been met and approval from the employing
16 agency, the officer shall have full peace officer powers as authorized under
17 the statute under which he or she was appointed or employed. If an officer
18 fails to successfully complete a basic training course within one (1) year of
19 employment, his or her enforcement powers shall automatically terminate,
20 unless that officer is actively enrolled and participating in a basic training
21 course or, after having begun a basic training course, is on an approved
22 extension of time due to injury or extenuating circumstances; or

23 (b) Does not meet the minimum qualifications set forth in KRS 15.382 because
24 the officer has yet to attain twenty-one (21) years of age. This
25 precertification status is for the purpose of attending a basic training course
26 only;

27 (2) "Certification status" means that:

1 **(a)** Unless the certification is in revoked status or inactive status, the officer is
 2 currently employed or appointed by an agency and has met all training
 3 requirements. The officer shall have full peace officer powers as authorized
 4 under the statute under which he or she was appointed or employed; **or**

5 **(b) For those officers that were employed at twenty (20) years of age and were**
 6 **precertified for the purpose of attending a basic training course, upon the**
 7 **council's verification that all minimum qualifications have been met,**
 8 **successful completion of a basic training course, and approval from the**
 9 **employing agency, the officer shall have full peace officer powers as**
 10 **authorized by the statute under which he or she was appointed or employed;**

- 11 (3) (a) "Inactive status" means that unless the certification is in revoked status:
- 12 1. The person has been separated on or after December 1, 1998, from the
 13 agency by which he or she was employed or appointed and has no peace
 14 officer powers; or
 - 15 2. The person is on military active duty for a period exceeding three
 16 hundred sixty-five (365) days.
- 17 (b) The person may remain on inactive status. A person who is on inactive status
 18 and who returns to a peace officer position shall have certification status
 19 restored if he or she meets the requirements of KRS 15.400(1) or (2) or has
 20 successfully completed a basic training course approved and recognized by
 21 the council, has not committed an act for which his or her certified status may
 22 be revoked pursuant to KRS 15.391 and successfully completes in-service
 23 training as prescribed by the council, as follows:
- 24 1. If the person has been on inactive status for a period of less than three
 25 (3) years, and the person was not in training deficiency status at the time
 26 of separation, he or she shall complete:
 - 27 a. The twenty-four (24) hour legal update Penal Code course;

- 1 b. The sixteen (16) hour legal update constitutional procedure course;
2 and
3 c. The mandatory training course approved by the Kentucky Law
4 Enforcement Council, pursuant to KRS 15.334, for the year in
5 which he or she returns to certification status; or
6 2. If the person has been on inactive status for a period of three (3) years or
7 more, or the person was in training deficiency status at the time of
8 separation, he or she shall complete:
9 a. The twenty-four (24) hour legal update Penal Code course;
10 b. The sixteen (16) hour legal update constitutional procedure course;
11 c. The mandatory training course approved by the Kentucky Law
12 Enforcement Council, pursuant to KRS 15.334, for the year in
13 which he or she returns to certification status; and
14 d. One (1) of the following forty (40) hour courses which is most
15 appropriate for the officer's duty assignment:
16 i. Basic officer skills;
17 ii. Orientation for new police chiefs; or
18 iii. Mandatory duties of the sheriff.
19 (c) A person returning from inactive to active certification after June 26, 2007,
20 under KRS 15.380 to 15.404, shall meet the following minimum
21 qualifications:
22 1. Be a citizen of the United States;
23 2. Possess a valid license to operate a motor vehicle;
24 3. Be fingerprinted for a criminal background check;
25 4. Not have been convicted of any felony; a misdemeanor under KRS
26 510.120, 510.130, or 510.140; a second or subsequent offense under
27 KRS 510.148; or a criminal attempt, conspiracy, facilitation, or

- 1 solicitation to commit any degree of rape, sodomy, sexual abuse, or
2 sexual misconduct;
- 3 5. Not be prohibited by federal or state law from possessing a firearm;
- 4 6. Have received and read the Kentucky Law Enforcement Officers Code
5 of Ethics as established by the council;
- 6 7. Have not received a dishonorable discharge, bad conduct discharge, or
7 general discharge under other than honorable conditions, if having
8 served in any branch of the Armed Forces of the United States;
- 9 8. Have been interviewed by the employing agency; and
- 10 9. Not have had certification as a peace officer permanently revoked in
11 another state;
- 12 (4) "Training deficiency status" means that unless the certification is in revoked status
13 or inactive status, the officer is currently employed or appointed by an agency and
14 has failed to meet all in-service training requirements. The officer's enforcement
15 powers shall automatically terminate, and he or she shall not exercise peace officer
16 powers in the Commonwealth until he or she has corrected the in-service training
17 deficiency;
- 18 (5) "Revoked status" means that the officer has no enforcement powers and his or her
19 certification has been revoked by the Kentucky Law Enforcement Council under
20 KRS 15.391; and
- 21 (6) "Denied status" means that a person does not meet the requirements to achieve
22 precertification status or certification status.
- 23 The design of a certificate may be changed periodically. When a new certificate is
24 produced, it shall be distributed free of charge to each currently certified peace officer.