

1 AN ACT relating to peace officer contracts.

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

3 ➔Section 1. KRS 16.050 is amended to read as follows:

- 4 (1) The commissioner shall appoint or promote to the ranks and grades and positions of  
5 the department such officers as are considered by him or her to be necessary for the  
6 efficient administration of the department. The Kentucky State Police shall conduct  
7 a biennial salary survey, and the findings of the salary survey shall be included in  
8 the department's budget request submitted to the Kentucky General Assembly.
- 9 (2) All initial appointments of officers to the department shall be made for merit and  
10 fitness after a competitive examination.
- 11 (3) There is created a Department of Kentucky State Police Personnel Board consisting  
12 of the commissioner and four (4) other members to be appointed by the Governor,  
13 two (2) to be appointed from each of the two (2) major political parties.
- 14 (4) The initial appointment of members of the board shall be for terms of one (1), two  
15 (2), three (3), and four (4) years. Thereafter each appointment shall be for a term of  
16 four (4) years, except that a person appointed to fill a vacancy occurring prior to the  
17 expiration of a term shall be appointed for the remainder of that term.
- 18 (5) Members of the board may be removed by the Governor only for cause, after being  
19 given a copy of charges against them and an opportunity to be heard publicly on  
20 such charges before the Governor.
- 21 (6) The board shall elect one (1) of its members chairman. It shall meet at such time  
22 and place as shall be specified by call of the commissioner. Three (3) members  
23 shall constitute a quorum for the transaction of business. Members of the board  
24 other than the commissioner shall receive compensation of fifty dollars (\$50) and  
25 reimbursement of travel expenses for each meeting of the board which they attend.
- 26 (7) The board shall promulgate administrative regulations to carry out the purposes  
27 herein, which shall include provisions for:

- 1 (a) Open competitive examination as to fitness of applicants for employment as  
2 officers; and
- 3 (b) Establishment of eligible lists as a result of such competitive examinations,  
4 from which lists vacancies shall be filled.
- 5 (8) The board shall hear appeals from applicants for employment for which  
6 examinations are being given or have been conducted and from eligibles on  
7 examination registers subject to the procedural rules which the board may adopt  
8 pursuant to the provisions of this section.
- 9 (9) (a) ~~[[Prior to appointment as ]~~A Cadet Trooper~~[,]~~ **appointed on or after the**  
10 **effective date of this Act,**~~[all applicants]~~ shall agree in writing that if, within  
11 **five (5)**~~[three (3)]~~ years of completing the basic training course offered by the  
12 department, he or she accepts employment as a peace officer with another law  
13 enforcement agency, or accepts employment with another type of agency or  
14 entity in a position that requires law enforcement training to meet the  
15 qualifications for the position, he or she will repay to the department the cost  
16 incurred by the department in providing training to the officer to the extent  
17 repayment has not been made by the agency with which the officer accepts  
18 employment under paragraph (b) or (c) of this subsection.
- 19 (b) If the officer accepts employment as a peace officer with another state agency  
20 or a state university or educational institution within Kentucky within three  
21 (3) years of completing the basic training course offered by the department,  
22 the agency, university, or educational institution shall reimburse the  
23 department for costs incurred in providing training to the officer.
- 24 (c) If the officer accepts employment with a city, county, or other local law  
25 enforcement agency within Kentucky within **five (5)**~~[three (3)]~~ years of  
26 completing the basic training course offered by the department, KRS 70.290  
27 shall apply as well~~[, except that the amount of the reimbursement shall not be~~

1           ~~prorated as provided in KRS 70.290].~~

2           ➔Section 2. KRS 70.290 is amended to read as follows:

- 3       (1) (a) City and county law enforcement agencies, including sheriff's offices, may, as  
4           a condition of employment, require a newly appointed deputy sheriff or peace  
5           officer who will participate in the Kentucky Law Enforcement Foundation  
6           Fund Program, authorized by KRS 15.410 to 15.510, to enter into an  
7           employment contract for a period of no longer than five (5)~~three (3)~~ years  
8           from the date of graduation from the Department of Criminal Justice Training,  
9           or other training approved by the Kentucky Law Enforcement Council.
- 10       (b) If a deputy sheriff or peace officer who has entered into a contract authorized  
11           under this subsection accepts employment as a peace officer with another law  
12           enforcement agency, that law enforcement agency shall reimburse the law  
13           enforcement agency that initially hired the deputy sheriff or peace officer for  
14           the actual costs incurred and expended by the law enforcement agency that  
15           initially hired the deputy sheriff or peace officer which are associated with the  
16           initial hiring of that officer, including but not limited to the application  
17           process, training costs, equipment costs, salary and fringe benefits. The law  
18           enforcement agency that initially hired the deputy sheriff or peace officer  
19           shall be reimbursed for the costs from the time of the deputy sheriff or peace  
20           officer's initial application until graduation from the Department of Criminal  
21           Justice Training.
- 22       (c) 1. For contracts entered into before June 29, 2017, the amount of  
23           reimbursement authorized by this subsection shall be prorated based  
24           upon the percentage of time that the deputy sheriff or peace officer  
25           completed of his or her employment contract. The amount of  
26           reimbursement authorized by this subsection after the pro rata amount is  
27           calculated shall be reduced by the cost of the training provided by the

1 Department of Criminal Justice Training for the subject officer.

2 2. For contracts entered into on or after June 29, 2017, the amount of  
3 reimbursement authorized by this subsection shall not be prorated, and  
4 shall be for the full amount as calculated in paragraph (b) of this  
5 subsection.

6 (2) If a peace officer, **including a university police officer,** who has been employed by  
7 a state law enforcement agency for **five (5)**~~three (3)~~ years or less accepts  
8 employment as a peace officer with a city or local law enforcement agency, that  
9 city or local law enforcement agency shall reimburse the state law enforcement  
10 agency that initially hired the peace officer for the costs expended with the initial  
11 hiring of that officer, including but not limited to the application process, training  
12 costs, equipment costs, salary and fringe benefits. The state law enforcement  
13 agency that initially hired the peace officer shall be reimbursed for the costs  
14 incurred and expended from the time of the peace officer's initial application until  
15 graduation from a Kentucky Law Enforcement Council approved training  
16 academy.~~[The amount of reimbursement authorized by this subsection shall be~~  
17 ~~prorated based upon the percentage of time that the peace officer has been~~  
18 ~~employed.]~~

19 ➔Section 3. KRS 183.881 is amended to read as follows:

20 (1) Safety and security officers so appointed shall be peace officers and conservators of  
21 the peace. They shall have general police powers to arrest, without process, all  
22 persons who within their view commit any crime or misdemeanor. They shall  
23 possess all of the common law and statutory powers, privileges, and immunities of  
24 sheriffs, except that they shall be empowered to serve civil process to the extent  
25 authorized by the employing airport board. Without limiting the generality of the  
26 foregoing, such safety and security officers are hereby specifically authorized and  
27 empowered, and it shall be their duty:

1 (a) To preserve the peace, maintain order and prevent unlawful use of force or  
2 violence or other unlawful conduct on the airport facility of their respective  
3 airport board, and to protect all persons and property located thereon from  
4 injury, harm and damage;

5 (b) To enforce, and to assist officials of their respective airport boards in the  
6 enforcement of the lawful rules and regulations of said airport board, and to  
7 assist and cooperate with the law enforcement agencies and officers.

8 Provided, however, that such safety and security officers shall exercise the powers  
9 herein granted upon any real property owned or occupied by their respective airport  
10 boards including the streets passing through and adjacent thereto. Said powers may  
11 be exercised in any county of the Commonwealth where the airport board owns,  
12 uses, or occupies property. Additional jurisdiction may be established by agreement  
13 with the chief of police of the municipality or sheriff of the county or the  
14 appropriate law enforcement agency in which such property is located, dependent  
15 upon the jurisdiction involved.

16 (2) Safety and security officers may exercise their powers away from the locations  
17 described in subsection (1) of this section only upon the following conditions:

18 (a) When in hot pursuit of an actual or suspected violator of the law;

19 (b) When authorized to do so pursuant to the agreement authorized by subsection  
20 (1) of this section;

21 (c) When requested to act by the chief of police of the city or county in which the  
22 airport board's property is located;

23 (d) When requested to act by the sheriff of the county in which the airport board's  
24 property is located;

25 (e) When requested to act by the commissioner of the Department of Kentucky  
26 State Police;

27 (f) When requested to act by the authorized delegates of those persons or

1 agencies listed in paragraph (c), (d), or (e) of this subsection;

2 (g) When requested to assist a state, county, or municipal police officer, sheriff,  
3 or other peace officer in the performance of his or her lawful duties; or

4 (h) When operating under an interlocal cooperation agreement pursuant to KRS  
5 Chapter 65.

6 (3) Safety and security officers appointed pursuant to KRS 183.110 and 183.880 to  
7 183.886 shall have, in addition to the other powers enumerated herein, the power to  
8 conduct investigations anywhere in this Commonwealth, provided such  
9 investigation relates to criminal offenses which occurred on property owned, leased,  
10 or controlled by the airport board. Where desirable and at the discretion of the  
11 airport board's police officials, the airport board's safety and security department  
12 may coordinate said investigations with any law enforcement agency of this  
13 Commonwealth or with agencies of the federal government.

14 (4) Safety and security departments created and operated by the airport boards shall, for  
15 all purposes, be deemed public police departments and the sworn safety and  
16 security officers thereof are, for all purposes, deemed public police officers.

17 (5) Nothing in KRS 183.110 and 183.880 to 183.886 shall be construed as a diminution  
18 or modification of the authority or responsibility of any city or county police  
19 department, the Department of Kentucky State Police, sheriff, constable granted  
20 police powers, or other peace officer either on the property of an airport board or  
21 otherwise. Nor shall anything in KRS 183.110 and 183.880 to 183.886 be construed  
22 as a diminution or modification of the authority or responsibility of any constable.

23 **(6) (a) Public airport boards may, as a condition of employment, require a newly**  
24 **appointed safety and security officer who will participate in the Kentucky**  
25 **Law Enforcement Foundation Program Fund, authorized by KRS 15.410 to**  
26 **15.510, to enter into an employment contract for a period of no longer than**  
27 **five (5) years from the date of graduation from the Department of Criminal**

1           Justice Training or other training approved by the Kentucky Law  
2           Enforcement Council.

3           **(b) If a safety and security officer who entered into a contract authorized under**  
4           **this subsection accepts employment as a peace officer with another law**  
5           **enforcement agency, that law enforcement agency shall reimburse the law**  
6           **enforcement agency that initially hired the safety and security officer for the**  
7           **actual costs incurred and expended by the law enforcement agency that**  
8           **initially hired the safety and security officer that are associated with the**  
9           **initial hiring of that officer, including but not limited to the application**  
10           **process, training costs, equipment costs, salary, and fringe benefits. The law**  
11           **enforcement agency that initially hired the safety and security officer shall**  
12           **be reimbursed for the costs from the time of the safety and security officer's**  
13           **initial application until graduation from the Department of Criminal Justice**  
14           **Training.**

15           ➔Section 4. A Cadet Trooper appointed prior to the effective date of this Act who  
16 agreed in writing that, if within three years of completing the basic training course  
17 offered by the department, he or she accepts employment as a peace officer with another  
18 law enforcement agency or accepts employment with another type of agency or entity in  
19 a position that requires law enforcement training to meet qualifications for the position, is  
20 responsible for reimbursing the department the cost incurred by the department in  
21 providing training to the officer to the extent repayment has not been made by the agency  
22 with which the officer accepts employment under subsection (9) of Section 1 of this Act.