

1 AN ACT relating to police department members.

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

3 ➔Section 1. KRS 95.495 is amended to read as follows:

4 (1) Except as provided in KRS 337.285, in cities listed on the registry pursuant to  
5 subsection (3) of this section or urban-county governments, except those in which,  
6 by ordinance, the patrolmen are employed or paid by the day, the members of the  
7 police department shall not be required to work more than eight (8) hours per day,  
8 for five (5) days each week or ten (10) hours per day, for four (4) days each week,  
9 except in the event of an emergency. Each member of the police department shall  
10 ***be permitted to accrue***~~have~~ an annual leave of fifteen (15) working days with full  
11 pay ***each year, as specifically established in the personnel policy applicable to***  
12 ***members of the department.*** Nothing in this section shall prohibit a member of the  
13 police department from voluntarily agreeing to work a different work schedule  
14 provided that the officer is paid overtime for any work performed in excess of forty  
15 (40) hours per week.

16 (2) The salary of the members of the police department shall not be reduced by reason  
17 of the enactment of this section.

18 (3) On or before January 1, 2015, the Department for Local Government shall create a  
19 registry of cities that shall comply with the provisions of this section. The  
20 Department for Local Government shall include each of those cities on the registry  
21 that were classified as cities of the second or third class on August 1, 2014. The  
22 Department for Local Government shall make the information included on the  
23 registry available to the public by publishing it on its ***website***~~[Web site]~~.

24 ➔Section 2. KRS 16.060 is amended to read as follows:

25 ***(1)*** It shall be the duty of the commissioner, each officer of the department, and each  
26 individual employed as a Trooper R Class or CVE R Class to:

27 ***(a)*** Detect and prevent crime;~~;~~

1       **(b)** Apprehend criminals;~~;~~

2       **(c)** Maintain law and order throughout the state;~~;~~

3       **(d)** ~~to~~ Collect, classify, and maintain information useful for the detection of  
4       crime and the identification, apprehension, and conviction of criminals; and

5       **(e)** ~~to~~ Enforce the criminal, ~~as well as the~~ motor vehicle, and traffic laws of  
6       the Commonwealth.

7       **(2)** ~~To this end~~ The commissioner, each officer of the department, and each individual  
8       employed as a Trooper R Class or CVE R Class is individually vested with the  
9       powers of a peace officer and shall:

10      **(a)** Have in all parts of the state the same powers with respect to criminal matters  
11      and enforcement of ~~the~~ laws ~~relating thereto~~ as sheriffs, constables granted  
12      peace officer powers, and police officers in their respective jurisdictions;~~;~~  
13      and ~~shall~~

14      **(b)** Possess all the immunities and matters of defense now available or hereafter  
15      made available to sheriffs, constables granted peace officer powers, and police  
16      officers in any suit brought against them in consequence of acts done in the  
17      course of their employment.

18      **(3)** Any warrant of arrest may be executed by the commissioner, any officer of the  
19      department, **or any**~~and each~~ individual employed as a Trooper R Class or CVE R  
20      Class.

21      **(4) The commissioner:**

22      **(a) May allow officers of the department to engage in law enforcement-related**  
23      **off-duty employment; and**

24      **(b) Shall establish policies and procedures related to the off-duty employment**  
25      **of officers of the department.**

26      ➔ Section 3. KRS 16.070 is amended to read as follows:

27      (1) **(a)** The commissioner is the head and chief executive officer of the department.

1 He or she shall provide for himself or herself, each officer of the department,  
2 and each individual employed as a Trooper R Class or CVE R Class, under  
3 the provisions of KRS 45A.045 to 45A.650, such uniforms, equipment, and  
4 facilities, including motor vehicles, necessary to the performance of their  
5 respective duties, but all uniforms, equipment, and facilities, including motor  
6 vehicles, shall remain the property of the Commonwealth.

7 **(b)** The commissioner may sell through the Finance and Administration Cabinet,  
8 under the provisions of KRS 45A.045 to 45A.650, such uniforms, equipment,  
9 and facilities, including motor vehicles, as become unfit for use, and all  
10 moneys received ~~therefrom~~ shall be paid into the State Treasury and credited  
11 to a revolving fund to be used by the department.

12 (2) The commissioner shall keep an inventory and shall charge against each officer and  
13 each individual employed as a Trooper R Class or CVE R Class the value of all  
14 property of the department issued to him or her, and if it is determined by the  
15 commissioner that any loss or destruction of property was due to the carelessness or  
16 neglect of an officer or an individual employed as a Trooper R Class, then the value  
17 of the property shall be deducted from the pay of the officer or the individual  
18 employed as a Trooper R Class or CVE R Class.

19 (3) **(a)** By agreement with the commissioner of highways of the Commonwealth, the  
20 commissioner of the Department of Kentucky State Police may provide for  
21 the leasing of motor vehicles and accessories thereto, radio facilities and  
22 equipment, office equipment, and other property or facilities, upon ~~such~~  
23 ~~terms and conditions and for such compensation as~~ **provided in the**  
24 **agreement**~~[said agreement may provide].~~

25 **(b)** The commissioner of highways and the commissioner of the Department of  
26 Kentucky State Police may further provide, by agreement, for the service and  
27 repair at any state garage of motor vehicles or accessories thereto which are

1 owned, operated, or rented by the department, upon ~~[such]~~ terms and  
2 conditions and for ~~[such]~~ compensation as **provided in the agreement**~~[said  
3 agreement may provide].~~

4 **(c)** Subject to KRS Chapter 42, the department is authorized, by lease or  
5 purchase, to acquire, maintain, and operate motor vehicles, and the officers of  
6 said department, including the commissioner and individuals employed as a  
7 Trooper R Class or CVE R Class, are authorized and empowered to operate  
8 such motor vehicles in the course of their duties, and in carrying out the  
9 purposes, responsibilities, and functions provided for in KRS 16.010 to  
10 16.170.

11 (4) The commissioner shall establish local headquarters so as to best distribute the  
12 officers, individuals employed as a Trooper R Class or CVE R Class, and  
13 employees of the department throughout the various sections of the Commonwealth  
14 where they will be most efficient in carrying out the provisions of KRS 16.010 to  
15 16.199.

16 **(5) The commissioner shall establish policies and procedures related to the approval**  
17 **and use of uniforms, equipment, and facilities, including motor vehicles,**  
18 **necessary in the performance of an officer's off-duty employment.**

19 ➔Section 4. KRS 44.045 is amended to read as follows:

20 (1) A passenger motor vehicle or vehicles may be purchased by the Finance and  
21 Administration Cabinet for the use of the Governor and the Lieutenant Governor.

22 (2) Motor vehicles, including passenger motor vehicles, may be purchased by the  
23 Finance and Administration Cabinet as are deemed necessary by the secretary of the  
24 Finance and Administration Cabinet or by the secretary of the Transportation  
25 Cabinet for the discharge of the authorized duties and functions of the various  
26 agencies of the state. The vehicles shall be used for official purposes only and for  
27 no other purposes. The assignment of passenger motor vehicles to specific

1 individuals shall be discouraged but may be made upon approval by the secretary of  
2 the Finance and Administration Cabinet of a written request to make the assignment  
3 by the head of the agency involved.

4 (3) All motor vehicles purchased pursuant to this section shall be issued official license  
5 plates and shall bear on one (1) door on each side the great seal of the  
6 Commonwealth, and the words "For official use only." It shall not be necessary that  
7 the vehicles purchased pursuant to subsections (1), (4), and (5) of this section bear  
8 the seal and the words.

9 (4) (a) The Department of Revenue, Justice and Public Safety Cabinet, and the  
10 Department of Law may, upon approval by the secretary of the Finance and  
11 Administration Cabinet of a written request by the head of the agency  
12 involved, register a vehicle or vehicles under KRS 186.020 and be issued  
13 regular license plates.

14 (b) Except as provided in Sections 2 and 3 of this Act, the vehicles shall be used  
15 for law enforcement-related~~investigatory~~ purposes only and for no other  
16 purposes.

17 (5) The Administrative Office of the Courts may register a vehicle or vehicles used by  
18 Justices and Judges of the Supreme Court and Court of Appeals under KRS 186.020  
19 and be issued regular license plates.

20 (6) The secretary of the Finance and Administration Cabinet may promulgate~~adopt~~  
21 administrative regulations in accordance with~~pursuant to~~ KRS Chapter 13A  
22 necessary to govern the use of those state-owned vehicles acquired pursuant to the  
23 provisions of this section.

24 (7) Any person violating subsections (2) and (4) of this section shall, on conviction~~of~~  
25 ~~thereof~~, be subject to the penalties prescribed in KRS 44.990.