

1 AN ACT relating to the Kentucky State Police.

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

3 ➔Section 1. KRS 16.170 is amended to read as follows:

4 *(1) As used in this section, unless the context requires otherwise:*

5 *(a) "Political activities" includes but is not limited to:*

6 *1. Registering to vote and voting;*

7 *2. Soliciting votes or endorsements on behalf of a political candidate or*  
8 *political campaign;*

9 *3. Expressing opinions, either publicly or privately, on political subjects*  
10 *and candidates;*

11 *4. Displaying political signs, pictures, stickers, badges, or buttons;*

12 *5. Participating in the activities of, or contributing financially to, a*  
13 *political party, political group, candidate, campaign, or any*  
14 *organization that supports a political candidate or campaign;*

15 *6. Attending or participating in a political convention, caucus, rally, or*  
16 *other political gathering;*

17 *7. Initiating, circulating, or signing a petition in favor of or in opposition*  
18 *to a candidate, public question, or a particular political position or*  
19 *opinion;*

20 *8. Engaging in fundraising activities for any political party, political*  
21 *organization, political group, candidate, or campaign;*

22 *9. Acting as a recorder, watcher, challenger, or similar officer at the*  
23 *polls on behalf of a political party, political organization, political*  
24 *group, candidate, or campaign; and*

25 *10. Becoming a political candidate; and*

26 *(b) "Political party," "political organization," and "political group" have the*  
27 *same meaning as in KRS 118.015.*

- 1 (2) No provision of law shall prohibit an officer of the department or individual  
2 employed as a Trooper R Class or CVE R Class from participating in political  
3 activities while off duty, out of uniform, and off the premises of his or her usual  
4 place of employment.
- 5 (3) An officer of the department or individual employed as a Trooper R Class or CVE  
6 R Class shall not:
- 7 (a) Use his or her official authority to:
- 8 1. Influence, coerce, or attempt to influence or coerce, a subordinate  
9 employee to pay, lend, or contribute anything of value to a political  
10 party, candidate, or campaign; or
- 11 2. Discriminate against any employee or applicant for employment due to  
12 that person's political affiliation or political activity, unless otherwise  
13 provided by law as a disqualification for employment;
- 14 (b) Discriminate in providing public services, including but not limited to law  
15 enforcement services, on the basis of any political affiliation or political  
16 activities of any person, group, or organization; or
- 17 (c) Suggest or imply that any employee or agency of state government has  
18 officially endorsed a political party, political organization, political group,  
19 candidate, or campaign.
- 20 (4) While engaging in any political activity under this section, an officer of the  
21 department or individual employed as a Trooper R Class or CVE R Class shall  
22 not:
- 23 (a) Wear a uniform or any part of a uniform that would identify him or her as  
24 an officer or trooper;
- 25 (b) Use any equipment or property of the department;
- 26 (c) Display or otherwise attempt to cause others to believe the officer or  
27 employee is carrying a firearm, star, badge, or other indication of law

1 enforcement authority;

2 (d) Promote himself or herself as an officer of the department or Trooper R  
 3 Class or CVE R Class representing the interests of the department;

4 (e) Solicit contributions from employees or nonemployees during regular  
 5 working hours; or

6 (f) Solicit or receive any political contribution of any kind while on state  
 7 property, unless the property is rented or leased by a private individual or  
 8 corporate entity~~[shall, directly or indirectly, give, solicit or receive, or be in~~  
 9 ~~any manner concerned in giving, soliciting or receiving, any assessment,~~  
 10 ~~subscription or contribution for any political party or political purpose~~  
 11 ~~whatever. No officer or individual employed as a Trooper R Class or CVE R~~  
 12 ~~Class shall, orally or by letter, solicit or be in any manner concerned in~~  
 13 ~~soliciting any assessment, subscription or contribution for any political party~~  
 14 ~~or purpose whatever from any person holding a position in the department. No~~  
 15 ~~officer of the department or individual employed as a Trooper R Class or~~  
 16 ~~CVE R Class shall take any part in political management or affairs or in~~  
 17 ~~political campaigns further than to cast his vote and to express privately his~~  
 18 ~~opinion].~~

19 (5) Any violation of the provisions of this section~~hereof~~ shall be grounds for removal.

20 ➔Section 2. KRS 16.195 is amended to read as follows:

21 For officers governed by KRS 16.186 to 16.195, the following subjects shall be administered  
 22 in the same manner as provided for state police officers governed by KRS 16.010 to 16.185:

- 23 (1) Prohibition against requesting or requiring victim of alleged sexual offense to  
 24 submit to polygraph or other examination, as provided by KRS 16.062;
- 25 (2) Organization of the department, as provided by KRS 16.040(1);
- 26 (3) Additional duties of the department, as provided by KRS 16.065;
- 27 (4) Uniforms, equipment, and facilities, as provided by KRS 16.070;

- 1 (5) Automobile liability insurance, as provided by KRS 16.075;
- 2 (6) Bonds of employees, as provided by KRS 16.080;
- 3 (7) Training school, as provided by KRS 16.090;
- 4 (8) Officers required to take educational course on AIDS, as provided by KRS 16.095;
- 5 (9) Travel expenses and per diem allowances, as provided by KRS 16.100;
- 6 (10) Fees or rewards, as provided by KRS 16.110;
- 7 (11) Disabled officer on hazardous duty may elect to be retained on payroll, as provided
- 8 by KRS 16.165.
- 9 (12) Election of benefits by disabled officer, as provided by KRS 16.167.
- 10 (13) **Restrictions on** political activity~~[forbidden]~~, as provided by KRS 16.170; and
- 11 (14) Indemnification of state police officer sued for act or omission in line of duty who
- 12 suffers financial loss, as provided by KRS 16.185.

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

- 14 (1) The commissioner is the head and chief executive officer of the department. He or
- 15 she shall provide for himself or herself, each officer of the department, and each
- 16 individual employed as a Trooper R Class or CVE R Class, under the provisions of
- 17 KRS 45A.045 to 45A.650, such uniforms, equipment, and facilities, including
- 18 motor vehicles, necessary to the performance of their respective duties, but all
- 19 uniforms, equipment, and facilities, including motor vehicles, shall remain the
- 20 property of the Commonwealth. The commissioner may sell through the Finance
- 21 and Administration Cabinet, under the provisions of KRS 45A.045 to 45A.650,
- 22 such uniforms, equipment, and facilities, including motor vehicles, as become unfit
- 23 for use, and all moneys received therefrom shall be paid into the State Treasury and
- 24 credited to a revolving fund to be used by the department.
- 25 (2) The commissioner shall keep an inventory and shall charge against each officer and
- 26 each individual employed as a Trooper R Class or CVE R Class the value of all
- 27 property of the department issued to him or her, and if it is determined by the

1 commissioner that any loss or destruction of property was due to the carelessness or  
2 neglect of an officer or an individual employed as a Trooper R Class, then the value  
3 of the property shall be deducted from the pay of the officer or the individual  
4 employed as a Trooper R Class or CVE R Class.

5 (3) (a) By agreement with the commissioner of highways of the Commonwealth, the  
6 commissioner of the Department of Kentucky State Police may provide for  
7 the leasing of motor vehicles and accessories thereto, radio facilities and  
8 equipment, office equipment, and other property or facilities, upon ~~such~~  
9 ~~terms and conditions and for such compensation as~~ provided in the  
10 agreement~~[said agreement may provide].~~

11 (b) The commissioner of highways and the commissioner of the Department of  
12 Kentucky State Police may further provide, by agreement, for the service and  
13 repair at any state garage of motor vehicles or accessories thereto which are  
14 owned, operated, or rented by the department, upon ~~such~~ terms and  
15 conditions and for ~~such~~ compensation as provided in the agreement~~[said~~  
16 ~~agreement may provide].~~

17 (c) Subject to KRS Chapter 42, the department is authorized, by lease or  
18 purchase, to acquire, maintain, and operate motor vehicles, and the officers of  
19 said department, including the commissioner and individuals employed as a  
20 Trooper R Class or CVE R Class, are authorized and empowered to operate  
21 such motor vehicles in the course of their duties, and in carrying out the  
22 purposes, responsibilities, and functions provided for in KRS 16.010 to  
23 16.170, except as may be otherwise provided.

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

1        16.199.