

1 AN ACT relating to peace officer certification and declaring an emergency.

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

3 ➔Section 1. KRS 15.382 is amended to read as follows:

4 A person certified after December 1, 1998, under KRS 15.380 to 15.404 or qualified
5 under the requirements set forth in KRS 15.440(1)(d)6. shall, at the time of becoming
6 certified, meet the following minimum qualifications:

- 7 (1) Be a citizen of the United States;
- 8 (2) Be at least twenty-one (21) years of age;
- 9 (3) (a) Be a high school graduate, regardless of whether the school is accredited or
10 certified by a governing body, provided that the education received met the
11 attendance and curriculum standards of Kentucky law at the time of
12 graduation, as determined by the Kentucky Department of Education; or
13 (b) Possess a High School Equivalency Diploma;
- 14 (4) Possess a valid license to operate a motor vehicle;
- 15 (5) Be fingerprinted for a criminal background check;
- 16 (6) Not have been convicted of any felony; a misdemeanor under KRS 510.120,
17 510.130, or 510.140; a second or subsequent offense under KRS 510.148; or a
18 criminal attempt, conspiracy, facilitation, or solicitation to commit any degree of
19 rape, sodomy, sexual abuse, or sexual misconduct; or have had any offense listed
20 under this subsection expunged;
- 21 (7) Not be prohibited by federal or state law from possessing a firearm;
- 22 (8) Have received and read the Kentucky Law Enforcement Officers Code of Ethics as
23 established by the council;
- 24 (9) Have not received a dishonorable discharge, bad conduct discharge, or general
25 discharge under other than honorable conditions, if having served in any branch of
26 the Armed Forces of the United States;
- 27 (10) Have passed a medical examination as defined by the council by administrative

- 1 regulation and provided by a licensed physician, physician assistant, or advanced
2 practice registered nurse to determine if he or she can perform peace officer duties
3 as determined by a validated job task analysis. However, if the employing agency
4 has its own validated job task analysis, the person shall pass the medical
5 examination, appropriate to the agency's job task analysis, of the employing agency.
6 All agencies shall certify passing medical examination results to the council, which
7 shall accept them as complying with KRS 15.310 to 15.510;
- 8 (11) Have passed a drug screening test administered or approved by the council by
9 administrative regulation. A person shall be deemed to have passed a drug
10 screening test if the results of the test are negative for the use of an illegal
11 controlled substance or prescription drug abuse. Any agency that administers its
12 own test that meets or exceeds this standard shall certify passing test results to the
13 council, which shall accept them as complying with KRS 15.310 to 15.510;
- 14 (12) Have undergone a background investigation established or approved by the council
15 by administrative regulation to determine suitability for the position of a peace
16 officer. If the employing agency has established its own background investigation
17 that meets or exceeds the standards of the council, as set forth by administrative
18 regulation, the agency shall conduct the background investigation and shall certify
19 background investigation results to the council, which shall accept them as
20 complying with KRS 15.310 to 15.510;
- 21 (13) Have been interviewed by the employing agency;
- 22 (14) Not have had certification as a peace officer permanently revoked in another state;
- 23 (15) Have taken a psychological suitability screening administered or approved by the
24 council by administrative regulation to determine the person's suitability to perform
25 peace officer duties as determined by a council validated job task analysis.
26 However, if the employing agency has its own validated job task analysis, the
27 person shall take that agency's psychological suitability screening~~examination~~,

1 appropriate to the agency's job task analysis. All agencies shall certify
2 psychological suitability screening~~examination~~ results to the council, which shall
3 accept them as complying with KRS 15.310 to 15.510;

4 (16) (a) Have passed a physical agility test administered or approved by the council by
5 administrative regulation to determine his or her suitability to perform peace
6 officer duties as determined by a council validated job task analysis.
7 However, if the employing agency has its own validated job task analysis, the
8 person shall take the physical agility test~~examination~~ of the employing
9 agency. All agencies shall certify physical agility test~~examination~~ results to
10 the council, which shall accept them as demonstrating compliance with KRS
11 15.310 to 15.510;~~and~~

12 (b) Notwithstanding paragraph (a) of this subsection, a person who has
13 previously been employed as a peace officer in the Commonwealth before
14 December 1, 1998, shall not be required to pass a physical agility test
15 administered or approved by the council by administrative regulation unless
16 the employing agency requires it as a condition of employment; and

17 (17) Have taken a polygraph examination administered or approved by the council by
18 administrative regulation to determine his or her suitability to perform peace officer
19 duties. Any agency that administers its own polygraph examination as approved by
20 the council shall certify the results that indicate whether a person is suitable for
21 employment as a peace officer to the council, which shall accept them as complying
22 with KRS 15.310 to 15.510.

23 ➔Section 2. Whereas it is critical to ensure that police departments are able to
24 attract and hire highly qualified peace officers, an emergency is declared to exist, and this
25 Act takes effect upon its passage and approval by the Governor or upon its otherwise
26 becoming a law.