

1 AN ACT relating to special law enforcement officers.

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

3 ➔Section 1. KRS 61.906 is amended to read as follows:

4 ***The cabinet shall require a criminal background investigation of all persons applying***
5 ***for a commission as a special law enforcement officer under KRS 61.900 to 61.930 at***
6 ***the time of initial application, and at other times at the request of the cabinet for good***
7 ***cause shown, by means of a fingerprint check by the Department of Kentucky State***
8 ***Police and the Federal Bureau of Investigation.*** In order to qualify for a commission as

9 a special law enforcement officer under KRS 61.900 to 61.930, an individual must
10 present satisfactory evidence of compliance with the following conditions and
11 requirements:

12 (1) No person shall be eligible for a commission who:

13 (a) Has been dishonorably discharged from the Armed Forces of the United
14 States;

15 (b) Has been convicted in any jurisdiction of any felony or of any crime involving
16 moral turpitude for which he or she has not received a full pardon;

17 (c) Has been convicted of any other offense or offenses more than five (5) times
18 within the previous three (3) years;

19 (d) Has by any court of competent jurisdiction been declared mentally disabled by
20 reason of an intellectual disability or disease and has not been restored; or

21 (e) Suffers from habitual drunkenness or from narcotics addiction or dependence,
22 or from any physical defect or deficiency which the secretary determines to
23 materially impair the applicant's ability to perform the duties of a special law
24 enforcement officer.

25 (2) Every person to be eligible for a commission shall:

26 (a) Have reached his or her twenty-first birthday;

27 (b) Provide, on forms supplied by the secretary, such information pertaining to

1 himself as may reasonably be requested thereon, including, but not limited to
2 his: name; age; date of birth; current address and employment; prior
3 addresses and employment for the past ten (10) years; aliases, if any; arrest
4 and conviction record, if any; Social Security number; fingerprints;
5 photographs; and general physical description. The accuracy of such
6 information shall be attested by the applicant and his or her attestation shall be
7 notarized by one authorized to administer oaths;

8 (c) Be of good moral character;

9 (d) Provide references from two (2) reputable individuals who are not related to
10 him or her and who have known him or her well for a period of not less than
11 three (3) years, attesting to his or her good character;

12 (e) Pay the fees provided in KRS 61.908; and

13 (f) Provide evidence satisfactory to the secretary that he or she meets the
14 following requirements:

15 1. Is a graduate of an accredited high school or of an equivalent technical
16 or vocational training or education program satisfactory to the secretary;
17 or holds a High School Equivalency Diploma; provided, however, that
18 all special local peace officers formally commissioned under KRS
19 61.360 and with unexpired commissions on December 31, 1976, shall be
20 deemed to have met the requirements of this subsection;

21 2. Has successfully completed not fewer than eighty (80) hours of training
22 in a program approved by the council and dealing comprehensively with
23 the subjects of criminal law and the law of arrest, search and seizure; or
24 has been employed as a full-time sworn public peace officer for a period
25 of not less than one (1) year within the past five (5) years, and has never
26 been discharged for cause from employment as a sworn public peace
27 officer; or has been employed in a full-time capacity as a military

- 1 policeman engaged in law enforcement for the United States Armed
2 Forces for a period of not less than one (1) year within the past five (5)
3 years; or has successfully completed a written, oral and practical
4 examination approved by the council and dealing comprehensively with
5 the subject matter of criminal law and the law of arrest, search and
6 seizure; and
- 7 3. Demonstrates, in written and practical examinations approved by the
8 council, knowledge of and proficiency in firearms safety, range firing,
9 the moral and legal aspects of firearms use, and first aid. Provided,
10 however, that all special local peace officers formally commissioned
11 under KRS 61.360 and with unexpired commissions on December 31,
12 1976, shall be deemed to have met the requirements of these
13 subsections.