Session of 2025

HOUSE BILL No. 2164

By Committee on Corrections and Juvenile Justice

Requested by Whitney Damron on behalf of the City of Topeka

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AN ACT concerning the Kansas law enforcement training act; authorizing persons who are 20 years of age or older to apply for certification as a police officer or law enforcement officer; amending K.S.A. 2024 Supp. 74-5605 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2024 Supp. 74-5605 is hereby amended to read as follows: 74-5605. (a) Every applicant for certification shall be:

(1) An employee of a state, county or city law enforcement agency, a municipal university police officer, a railroad policeman appointed pursuant to K.S.A. 66-524, and amendments thereto;

(2) an employee of the tribal law enforcement agency of an Indian nation that has entered into a tribal-state gaming compact with this state;

(3) a manager or employee of the horsethief reservoir benefit district pursuant to K.S.A. 82a-2212, and amendments thereto; or

(4) a school security officer designated as a school law enforcement officer pursuant to K.S.A. 72-6146, and amendments thereto.

(b) Prior to admission to a course conducted at the training center or at a certified state or local law enforcement agency, the applicant's appointing authority or agency head shall furnish to the director of police training and to the commission a statement certifying that the applicant has been found to meet the minimum requirements of certification established by this subsection. The commission may rely upon the statement of the appointing authority or agency head as evidence that the applicant meets the minimum requirements for certification to issue a provisional certification. Each applicant for certification shall meet the following minimum requirements:

(1) Be a United States citizen;

(2) have been fingerprinted pursuant to K.S.A. 2024 Supp. 22-4713, and amendments thereto, and a search of local, state and national fingerprint files made to determine whether the applicant has a criminal record;

(3) not have been convicted of a crime that would constitute a felony under the laws of this state, a misdemeanor crime of domestic violence or a misdemeanor offense that the commission determines reflects on the

honesty, trustworthiness, integrity or competence of the applicant as defined by rules and regulations of the commission;

(4) have:

(A) graduated from a high school accredited by the Kansas state board of education or the appropriate accrediting agency of another state jurisdiction;

(B) obtained a high school education from a nonaccredited private secondary school as defined in K.S.A. 72-4345, and amendments thereto; or

(C) obtained the equivalent of a high school education as defined by rules and regulations of the commission;

(5) be of good moral character sufficient to warrant the public trust in the applicant as a police officer or law enforcement officer;

(6) have completed an assessment, including psychological testing approved by the commission, to determine that the applicant does not have a mental or personality disorder that would adversely affect the ability to perform the essential functions of a police officer or law enforcement officer with reasonable skill, safety and judgment;

(7) be free of any physical or mental condition which adversely affects the ability to perform the essential functions of a police officer or law enforcement officer with reasonable skill, safety and judgment; ~~and~~

(8) *be at least 20 years of age; and*

(9) be at least 21 years of age *prior to service as a full-time or part-time police officer or law enforcement officer.*

(c) The commission may deny a provisional or other certification upon a finding that the applicant has engaged in conduct for which a certificate may be revoked, suspended or otherwise disciplined as provided in K.S.A. 74-5616, and amendments thereto. When it appears that grounds for denial of a certification exist under this subsection, after a conditional offer of employment has been made to an applicant seeking appointment as a police officer or law enforcement officer, the applicant's appointing authority or agency head may request an order from the commission to determine whether a provisional certification will be issued to that applicant.

(d) As used in this section, "conviction" includes rendering of judgment by a military court martial pursuant to the uniform code of military justice, by a court of the United States or by a court of competent jurisdiction in any state, whether or not expunged; and any diversion or deferred judgment agreement entered into for a misdemeanor crime of domestic violence or a misdemeanor offense that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant as defined by rules and regulations by the commission and any diversion agreement or deferred judgment entered

into on or after July 1, 1995, for a felony.

Sec. 2. K.S.A. 2024 Supp. 74-5605 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.