

HOUSE BILL No. 2365

By Committee on Federal and State Affairs

2-2

9 AN ACT concerning the Kansas highway patrol; amending K.S.A. 74-
10 2113 and repealing the existing section.

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

13 Section 1. K.S.A. 74-2113 is hereby amended to read as follows: 74-
14 2113. (a) There is hereby created a Kansas highway patrol. The patrol
15 shall consist of: (1) A superintendent, who shall have the rank of colonel
16 and who shall have special training and qualifications for such position;
17 (2) an assistant superintendent, who shall have the rank of lieutenant
18 colonel; and (3) officers and troopers who are appointed in accordance
19 with appropriation acts and as provided in this section. The superinten-
20 dent and assistant superintendent shall be within the unclassified service
21 under the Kansas civil service act. The assistant superintendent serving
22 on the effective date of this act shall be appointed to such position by the
23 superintendent. Thereafter, the assistant superintendent shall be ap-
24 pointed by the superintendent from among the members of the patrol,
25 and shall serve at the pleasure of the superintendent. If a person ap-
26 pointed as superintendent or assistant superintendent is a member of the
27 patrol when appointed, such person in each case, upon termination of the
28 term as superintendent or assistant superintendent, respectively, shall be
29 returned to a rank not lower than the rank such person held when ap-
30 pointed as superintendent or assistant superintendent. If such rank is
31 filled at that time, a temporary additional position shall be created in such
32 rank until a vacancy occurs in such rank. All other officers, troopers and
33 employees shall be within the classified service under the Kansas civil
34 service act.

35 (b) The superintendent of the patrol shall be appointed by the gov-
36 ernor, subject to confirmation by the senate as provided in K.S.A. 75-
37 4315b, and amendments thereto, and shall receive an annual salary fixed
38 by the governor. The assistant superintendent shall receive an annual
39 salary fixed by the superintendent and approved by the governor.

40 (c) All other members of the patrol shall be appointed by the super-
41 intendent in accordance with appropriation acts and with the Kansas civil
42 service act. No person shall be appointed as an officer of the patrol, other
43 than superintendent, unless the person has had at least five years of serv-

1 ice in the patrol as an officer or trooper. No person shall be appointed as
2 a trooper unless the person meets the following requirements:

- 3 (1) Is a citizen of the United States;
- 4 (2) is at least 21 years of age at the time of appointment;
- 5 (3) has not been convicted by any state or the federal government of
6 a crime which is a felony or its equivalent under the uniform code of
7 military justice;
- 8 (4) has been fingerprinted and a search of local, state and national
9 fingerprint files has been made to determine whether the applicant has
10 a criminal record;
- 11 (5) is the holder of a high school diploma or furnishes evidence of
12 successful completion of an examination indicating an equivalent achieve-
13 ment; and
- 14 (6) is free of any physical or mental condition which might adversely
15 affect the applicant's performance of duties as a trooper and whose phys-
16 ical health has been certified by an examining physician appointed by the
17 superintendent.

18 ~~(d) No member of the patrol shall hold any other elective or appoint-~~
19 ~~ive commission or office, except in the Kansas national guard or in the~~
20 ~~organized reserve of the United States army, air force or navy. No mem-~~
21 ~~ber of the patrol shall accept any employment or compensation from any~~
22 ~~licensee of the director of alcoholic beverage control of the department~~
23 ~~of revenue or from any licensee of the Kansas racing commission or from~~
24 ~~any officer, director, member or employee of any such licensee, nor shall~~
25 ~~any member of the patrol accept any employment or compensation for~~
26 ~~services which require the use of any state-owned equipment provided~~
27 ~~by the Kansas highway patrol or the wearing of the patrol uniform. No~~
28 ~~member of the patrol shall accept any reward or gift except with the~~
29 ~~written permission of the superintendent.~~

30 Sec. 2. K.S.A. 74-2113 is hereby repealed.

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