



CITY OF TOPEKA

Legal Department
215 SE 7th Street, Room 353
Topeka, KS 66603

Amanda Stanley, City Attorney
Tel: (785) 368-3883
www.topeka.org

To: Senate Committee on Judiciary
From: Amanda Stanley, City of Topeka
Date: March 10, 2025
Re: Proponent Testimony for HB 2164

Chair Warren and Members of the Committee,

Following some concerns regarding the need to amend additional statutes during the House Floor debate to address individuals with law enforcement powers under a provisional license, a conversation was held with Kansas Commission on Peace Officers' Standards and Training.

Following that discussion, we would offer the following amendments to a related statute not included in HB 2164 (italic page two of testimony):

KSA 74-5602(g)(1) "Police officer" or "law enforcement officer" means a full-time or part-time salaried officer or employee of the state, a county or a city, whose duties include the prevention or detection of crime and the enforcement of the criminal or traffic laws of this state or of any municipality thereof.

(2) "Police officer" or "law enforcement officer" includes, but is not limited to: The sheriff, undersheriff and full-time or part-time salaried deputies in the sheriff's office in each county; deputy sheriffs deputized pursuant to K.S.A. 19-2858, and amendments thereto; conservation officers of the Kansas department of wildlife and parks; university police officers, as defined in K.S.A. 22-2401a, and amendments thereto; campus police officers, as defined in K.S.A. 22-2401a, and amendments thereto; law enforcement agents of the director of alcoholic beverage control; law enforcement agents designated by the secretary of revenue pursuant to K.S.A. 75-5157, and amendments thereto; law enforcement agents of the Kansas lottery; law enforcement agents of the Kansas racing commission; deputies and assistants of the state fire marshal having law enforcement authority; capitol police, existing under the authority of K.S.A. 75-4503, and amendments thereto; special agents of the department of corrections; special investigators designated by the secretary of labor; and law enforcement officers appointed by the adjutant general pursuant to K.S.A. 48-204, and amendments thereto; railroad policemen appointed pursuant to K.S.A. 66-524, and amendments thereto; school security officers designated as school law enforcement officers pursuant to K.S.A. 72-6146, and amendments thereto; the manager and employees of the horsethief reservoir benefit district pursuant to K.S.A. 82a-2212, and amendments thereto; and the director of the Kansas commission on peace officers' standards and training and any other employee of such commission designated by the director pursuant to K.S.A.

74-5603, and amendments thereto, as a law enforcement officer. “Police officer” or “law enforcement officer” includes any officer appointed or elected on a provisional basis.

(3) “Police officer” or “law enforcement officer” does not include any elected official, other than a sheriff, serving in the capacity of a law enforcement or police officer solely by virtue of such official's elected position; any attorney-at-law having responsibility for law enforcement and discharging such responsibility solely in the capacity of an attorney; any employee of the secretary of corrections other than a special agent; any employee of the secretary for children and families; any deputy conservation officer of the Kansas department of wildlife and parks; or any employee of a city or county who is employed solely to perform correctional duties related to jail inmates and the administration and operation of a jail; or any full-time or part-time salaried officer or employee whose duties include the issuance of a citation or notice to appear provided such officer or employee is not vested by law with the authority to make an arrest for violation of the laws of this state or any municipality thereof, and is not authorized to carry firearms when discharging the duties of such person's office or employment *or any person who is enrolled in a basic course of instruction at the Kansas law enforcement training center or at a certified state or local law enforcement agency who has not yet attained the age of 21 years.*

74-5603(a)

No person shall enroll in a basic course of instruction at the Kansas law enforcement training center unless the person holds a provisional law enforcement certificate *except if the person is at least 20 years of age and will be at least 21 years of age prior to service as a full-time or part-time police officer or law enforcement officer, the person shall be allowed to enroll but shall not be issued a provisional law enforcement certificate until the person has attained the age of 21. This provision shall apply to courses under K.S.A. 74-5604a.*

We would also be amenable to a delayed implementation date to allow time for any necessary updates to the relevant Administrative Rules and Regulations (e.g., January 1, 2026).