

HOUSE BILL No. 2261

By Committee on Transportation

Requested by Lieutenant Roy Wise on behalf of the Kansas Highway Patrol

2-4

1 AN ACT concerning the Kansas highway patrol; relating to the
2 employment classifications of Kansas highway patrol officers;
3 providing that Kansas highway patrol majors are to be within the
4 unclassified service and superintendents, assistant superintendents and
5 majors shall be returned with permanent status to the rank that such
6 officer held when the officer was appointed to such respective position;
7 amending K.S.A. 2024 Supp. 74-2113 and repealing the existing
8 section.
9

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

11 Section 1. K.S.A. 2024 Supp. 74-2113 is hereby amended to read as
12 follows: 74-2113. (a) (1) There is hereby created a Kansas highway patrol.
13 The patrol shall consist of:

14 (A) A superintendent, who shall have the rank of colonel and who
15 shall have special training and qualifications for the position;

16 (B) an assistant superintendent, who shall have the rank of lieutenant
17 colonel; and

18 (C) officers and troopers who are appointed in accordance with
19 appropriation acts and as provided in this section.

20 (2) The superintendent~~and~~, assistant superintendent *and majors* shall
21 be within the unclassified service under the Kansas civil service act. The
22 assistant superintendent shall be appointed by the superintendent from
23 among the members of the patrol, and shall serve at the pleasure of the
24 superintendent. If a person appointed as superintendent, assistant
25 superintendent or major is a member of the patrol when appointed, the
26 person in each case, upon termination of the term as superintendent,
27 assistant superintendent or major, respectively, shall be returned to a rank
28 *with permanent status* not lower than the rank the person held when
29 appointed as superintendent, assistant superintendent or major. If the rank
30 is filled at that time, a temporary additional position shall be created in the
31 rank until a vacancy occurs in such rank. All other officers, troopers and
32 employees shall be within the classified service under the Kansas civil
33 service act.

34 (b) The superintendent of the patrol shall be appointed by the
35 governor, subject to confirmation by the senate as provided in K.S.A. 75-

1 4315b, and amendments thereto, and shall receive an annual salary fixed
 2 by the governor. Except as provided by K.S.A. 46-2601, and amendments
 3 thereto, no person appointed as superintendent shall exercise any power,
 4 duty or function as superintendent until confirmed by the senate. The
 5 assistant superintendent shall receive an annual salary fixed by the
 6 superintendent and approved by the governor.

7 (c) All other members of the patrol shall be appointed by the
 8 superintendent in accordance with appropriation acts and with the Kansas
 9 civil service act. No person shall be appointed as an officer of the patrol,
 10 other than superintendent, unless the person has had at least five years of
 11 service in the patrol as an officer or trooper. No person shall be appointed
 12 as a trooper unless the person meets the following requirements:

- 13 (1) Is a citizen of the United States;
- 14 (2) is at least 21 years of age at the time of appointment;
- 15 (3) has not been convicted by any state or the federal government of a
 16 crime which is a felony or its equivalent under the uniform code of
 17 military justice;
- 18 (4) has been fingerprinted pursuant to K.S.A. 2024 Supp. 22-4713,
 19 and amendments thereto, and a search of local, state and national
 20 fingerprint files has been made to determine whether the applicant has a
 21 criminal record;
- 22 (5) is the holder of a high school diploma or furnishes evidence of
 23 successful completion of an examination indicating an equivalent
 24 achievement; and
- 25 (6) is free of any physical or mental condition which might adversely
 26 affect the applicant's performance of duties as a trooper and whose
 27 physical health has been certified by an examining physician appointed by
 28 the superintendent.

29 (d) No member of the patrol shall:

- 30 (1) Hold any other elective or appointive commission or office,
 31 except:
 - 32 (A) In the Kansas national guard or in the organized reserve of the
 33 United States army, air force or navy;
 - 34 (B) in the governing body of a municipality:
 - 35 (i) If the position to be held is appointed; or
 - 36 (ii) if the position to be held is elected on a nonpartisan basis.
 - 37 (C) On any appointed board, commission or task force which the
 38 superintendent of the highway patrol deems necessary as part of the
 39 member's or officer's duties.
- 40 (2) Accept any employment or compensation from any licensee of the
 41 director of alcoholic beverage control of the department of revenue or
 42 from any licensee of the Kansas racing commission or from any officer,
 43 director, member or employee of any such licensee.

1 (3) Accept any employment or compensation for services which
2 require the use of any state-owned equipment provided by the Kansas
3 highway patrol or the wearing of the patrol uniform.

4 (4) Accept any reward or gift pertaining to the performance of the
5 member's or officer's duties except with the written permission of the
6 superintendent.

7 (e) For the purposes of this section, the terms "governing body" and
8 "municipality" shall have the meanings ascribed to such terms in K.S.A.
9 12-105a, and amendments thereto.

10 Sec. 2. K.S.A. 2024 Supp. 74-2113 is hereby repealed.

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