

HOUSE BILL No. 2496

By Committee on Corrections and Juvenile Justice

1-20

1 AN ACT concerning law enforcement; relating to law enforcement
2 officers and juvenile justice authority employees; amending K.S.A.
3 2011 Supp. 74-5602 and repealing the existing section.
4

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

6 Section 1. K.S.A. 2011 Supp. 74-5602 is hereby amended to read as
7 follows: 74-5602. As used in the Kansas law enforcement training act:

8 (a) "Training center" means the law enforcement training center
9 within the division of continuing education of the university of Kansas,
10 created by K.S.A. 74-5603, and amendments thereto.

11 (b) "Commission" means the Kansas commission on peace officers'
12 standards and training, created by K.S.A. 74-5606, and amendments
13 thereto.

14 (c) "Dean" means the dean of continuing education of the university
15 of Kansas.

16 (d) "Director of police training" means the director of police training
17 at the law enforcement training center.

18 (e) "Director" means the executive director of the Kansas commission
19 on peace officers' standards and training.

20 (f) "Law enforcement" means the prevention or detection of crime
21 and the enforcement of the criminal or traffic laws of this state or of any
22 municipality thereof.

23 (g) "Police officer" or "law enforcement officer" means a full-time or
24 part-time salaried officer or employee of the state, a county or a city,
25 whose duties include the prevention or detection of crime and the
26 enforcement of the criminal or traffic laws of this state or of any
27 municipality thereof. Such terms shall include, but not be limited to: The
28 sheriff, undersheriff and full-time or part-time salaried deputies in the
29 sheriff's office in each county; deputy sheriffs deputized pursuant to
30 K.S.A. 19-2858, and amendments thereto; conservation officers of the
31 Kansas department of wildlife ~~and parks~~, *parks and tourism*; university
32 police officers, as defined in K.S.A. 22-2401a, and amendments thereto;
33 campus police officers, as defined in K.S.A. 22-2401a, and amendments
34 thereto; law enforcement agents of the director of alcoholic beverage
35 control; law enforcement agents designated by the secretary of revenue
36 pursuant to K.S.A. 2011 Supp. 75-5157, and amendments thereto; law

1 enforcement agents of the Kansas lottery; law enforcement agents of the
2 Kansas racing commission; deputies and assistants of the state fire marshal
3 having law enforcement authority; capitol police, existing under the
4 authority of K.S.A. 75-4503, and amendments thereto; *special*
5 *investigators of the juvenile justice authority*; and law enforcement
6 officers appointed by the adjutant general pursuant to K.S.A. 48-204, and
7 amendments thereto. Such terms shall also include railroad policemen
8 appointed pursuant to K.S.A. 66-524, and amendments thereto; school
9 security officers designated as school law enforcement officers pursuant to
10 K.S.A. 72-8222, and amendments thereto; the manager and employees of
11 the horsethief reservoir benefit district pursuant to K.S.A. 2011 Supp. 82a-
12 2212, and amendments thereto; and the director of the Kansas commission
13 on peace officers' standards and training and any other employee of such
14 commission designated by the director pursuant to K.S.A. 74-5603, and
15 amendments thereto, as a law enforcement officer. Such terms shall not
16 include any elected official, other than a sheriff, serving in the capacity of
17 a law enforcement or police officer solely by virtue of such official's
18 elected position; any attorney-at-law having responsibility for law
19 enforcement and discharging such responsibility solely in the capacity of
20 an attorney; any employee of the commissioner of juvenile justice, ~~the~~
21 ~~secretary of corrections or who is employed solely to perform correctional,~~
22 *administrative or operational duties related to juvenile correctional*
23 *facilities; any employee of the secretary of corrections, any employee of*
24 *the secretary of social and rehabilitation services; any deputy conservation*
25 *officer of the Kansas department of wildlife and parks, parks and tourism;*
26 *or any employee of a city or county who is employed solely to perform*
27 *correctional duties related to jail inmates and the administration and*
28 *operation of a jail; or any full-time or part-time salaried officer or*
29 *employee whose duties include the issuance of a citation or notice to*
30 *appear provided such officer or employee is not vested by law with the*
31 *authority to make an arrest for violation of the laws of this state or any*
32 *municipality thereof, and is not authorized to carry firearms when*
33 *discharging the duties of such person's office or employment. Such term*
34 *shall include any officer appointed or elected on a provisional basis.*

35 (h) "Full-time" means employment requiring at least 1,000 hours of
36 law enforcement related work per year.

37 (i) "Part-time" means employment on a regular schedule or
38 employment which requires a minimum number of hours each payroll
39 period, but in any case requiring less than 1,000 hours of law enforcement
40 related work per year.

41 (j) "Misdemeanor crime of domestic violence" means a violation of
42 domestic battery as provided by K.S.A. 21-3412a, prior to its repeal, or
43 K.S.A. 2011 Supp. 21-5414, and amendments thereto, or any other

1 misdemeanor under federal, municipal or state law that has as an element
2 the use or attempted use of physical force, or the threatened use of a
3 deadly weapon, committed by a current or former spouse, parent, or
4 guardian of the victim, by a person with whom the victim shares a child in
5 common, by a person who is cohabiting with or has cohabited with the
6 victim as a spouse, parent or guardian, or by a person similarly situated to
7 a spouse, parent or guardian of the victim.

8 (k) "Auxiliary personnel" means members of organized nonsalaried
9 groups ~~which~~ *who* operate as an adjunct to a police or sheriff's department,
10 including reserve officers, posses and search and rescue groups.

11 (l) "Active law enforcement certificate" means a certificate which
12 attests to the qualification of a person to perform the duties of a law
13 enforcement officer and which has not been suspended or revoked by
14 action of the Kansas commission on peace officers' standards and training
15 and has not lapsed by operation of law as provided in K.S.A. 74-5622, and
16 amendments thereto.

17 Sec. 2. K.S.A. 2011 Supp. 74-5602 is hereby repealed.

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