

HOUSE BILL No. 2022

By Committee on Judiciary

1-15

1 AN ACT concerning law enforcement officers; relating to the office of
2 sheriff; qualifications for office; amending K.S.A. 2014 Supp. 19-801b
3 and repealing the existing section.
4

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

6 Section 1. K.S.A. 2014 Supp. 19-801b is hereby amended to read as
7 follows: 19-801b. (a) No person shall be eligible for nomination; election
8 or appointment to the office of sheriff unless such person, *at the time such*
9 *person is elected or appointed:*

10 (1) Is a citizen of the United States and a qualified elector of the
11 county;

12 ~~(2) possesses a high-school education or its recognized equivalent;~~
13 ~~and~~

14 ~~(3) has never been convicted of or pleaded guilty or entered a plea of~~
15 ~~not-guilty to any felony charge, a misdemeanor crime of domestic~~
16 ~~violence as defined in K.S.A. 74-5602, and amendments thereto, or to any~~
17 ~~violation of any federal or state laws or city ordinances relating to~~
18 ~~gambling, liquor or narcotics;~~

19 ~~(b) Every person elected to the office of sheriff for the first time, or~~
20 ~~anyone reelected or appointed to the office after having been out of the~~
21 ~~office for five years or more shall be required to attend the law~~
22 ~~enforcement training center as established by K.S.A. 74-5601 et seq., and~~
23 ~~amendments thereto, and satisfactorily complete the required training~~
24 ~~course of not less than 320 hours, unless such person has satisfactorily~~
25 ~~completed such training course within the five years prior to election or~~
26 ~~appointment, passes a written competency test and firearms proficiency~~
27 ~~qualification course developed and administered by the Kansas law~~
28 ~~enforcement training center or unless the commission, as defined in~~
29 ~~subsection (b) of K.S.A. 74-5602, and amendments thereto, waives the~~
30 ~~requirements of this subsection as provided in K.S.A. 74-5608a, and~~
31 ~~amendments thereto. Unless the requirements are waived, any person~~
32 ~~elected or appointed to the office of sheriff who has not attended the law~~
33 ~~enforcement training center shall hold office on a provisional basis, and~~
34 ~~such person shall attend the next scheduled training program at the law~~
35 ~~enforcement training center and satisfactorily complete such training~~
36 ~~program or the one subsequent to it, or shall forfeit such office;~~

Proposed HB 2022 Balloon
For Committee on Judiciary
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Prepared by: Katherine Goyette, Office of
Revisor of Statutes

(2) has not been convicted of a crime that would constitute a misdemeanor crime of domestic violence or a felony under the laws of this state; and

(3) has graduated from a high school accredited by the state board of education or the appropriate accrediting agency of another state jurisdiction or obtained the equivalent of a high school education as defined by rules and regulations of the commission.

(b) Unless the commission waives the training requirements of this subsection pursuant to K.S.A. 74-5608a, and amendments thereto, any person elected or appointed to the office of sheriff:

(1) Shall possess current full-time law enforcement certification from the commission;

(2) if such person has allowed such full-time certification to lapse due to more than five years since employment as a Kansas law enforcement officer shall;

(4) Pass the next scheduled written competency test and firearms proficiency qualification course developed and administered by the Kansas law enforcement training center; that is available for such person to attend after election or appointment to the office of sheriff, or the subsequent scheduled written competency test and firearms proficiency qualification course; or

(B) satisfactorily complete the next scheduled full-time basic training course required under K.S.A. 74-5607a, and amendments thereto, that is available for such person to attend after election or appointment to the office of sheriff, or the one subsequent to it; or

(3) if such person has not obtained full-time certification by the commission, shall satisfactorily complete the next scheduled full-time basic training course required under K.S.A. 74-5607a, and amendments thereto, that is available for such person to attend after election or appointment to the office of sheriff, or the one subsequent to it.

(c) Unless the training requirements of subsection (b) are waived by the commission, any person elected or appointed to the office of sheriff who does not meet the training requirements of subsection (b) shall complete such training requirements, or forfeit such office.

(e) (d) Each newly elected sheriff of each county who is required to attend the law enforcement training center prior to taking office shall be hired as a deputy sheriff and shall be paid a salary ~~as deputy equal to the~~ existing sheriff while attending the law enforcement training center. The tuition, board, room and travel expense for the sheriff-elect at the law enforcement training center shall be paid by the county.

(e) As used in this section, "commission" means the Kansas commission on peace officers' standards and training created by K.S.A. 74-5606, and amendments thereto, or the commission's designee.

has not been convicted of a misdemeanor within five years immediately preceding the date of election or appointment; and

(4)