

HOUSE BILL No. 2423

By Representative Rhiley

12-3

1 AN ACT concerning sheriffs; relating to qualifications; amending K.S.A.
2 2019 Supp. 19-801b and repealing the existing section.

3
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. K.S.A. 2019 Supp. 19-801b is hereby amended to read as
6 follows: 19-801b. (a) No person shall be eligible for nomination, election
7 or appointment to the office of sheriff unless such person:

8 (1) Is a citizen of the United States and a qualified elector of the
9 county;

10 (2) has not been convicted of a crime that would constitute a
11 misdemeanor crime of domestic violence, *driving under the influence* or a
12 felony under the laws of this state;

13 (3) *except as provided in paragraph (2)*, has not been convicted of a
14 misdemeanor related to gambling, liquor or narcotics within five years
15 immediately preceding the date of election or appointment; and

16 (4) has: (A) Graduated from a high school accredited by the state
17 board of education or the appropriate accrediting agency of another state
18 jurisdiction; (B) obtained a high school education from a nonaccredited
19 private secondary school as defined in K.S.A. 72-4345, and amendments
20 thereto; or (C) obtained the equivalent of a high school education as
21 defined by rules and regulations of the Kansas commission on peace
22 officers' standards and training.

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

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

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

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

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

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

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

14 (d) Each newly elected sheriff of each county who is required to
15 attend the law enforcement training center shall be hired as a deputy
16 sheriff and shall be paid a salary as deputy sheriff while attending the law
17 enforcement training center. The tuition, board, room and travel expense
18 for the sheriff-elect at the law enforcement training center shall be paid by
19 the county.

20 Sec. 2. K.S.A. 2019 Supp. 19-801b is hereby repealed.

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