

SENATE BILL No. 419

By Committee on Judiciary

1-28

1 AN ACT concerning law enforcement; relating to special agents of the
2 department of corrections; the commission on peace officers' standards
3 and training; Kansas law enforcement training act; amending K.S.A.
4 74-5602 and repealing the existing section.

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

7 New Section 1. The secretary of corrections may, with the consent of
8 the director of police training, designate an employee of the department
9 other than a special agent, to attend the law enforcement training center or
10 any training school certified pursuant to K.S.A. 74-5604a, and
11 amendments thereto, or to attend courses provided by the training center or
12 training schools. The employee and the department of corrections shall be
13 provided a transcript of the courses successfully completed by the
14 employee.

15 Sec. 2. K.S.A. 74-5602 is hereby amended to read as follows: 74-
16 5602. As used in the Kansas law enforcement training act:

17 (a) "Training center" means the law enforcement training center
18 within the university of Kansas, created by K.S.A. 74-5603, and
19 amendments thereto.

20 (b) "Commission" means the Kansas commission on peace officers'
21 standards and training, created by K.S.A. 74-5606, and amendments
22 thereto, or the commission's designee.

23 (c) "Chancellor" means the chancellor of the university of Kansas, or
24 the chancellor's designee.

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

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

29 (f) "Law enforcement" means the prevention or detection of crime
30 and the enforcement of the criminal or traffic laws of this state or of any
31 municipality thereof.

32 (g) "Police officer" or "law enforcement officer" means a full-time or
33 part-time salaried officer or employee of the state, a county or a city,
34 whose duties include the prevention or detection of crime and the
35 enforcement of the criminal or traffic laws of this state or of any
36 municipality thereof. Such terms shall include, but not be limited to: The

1 sheriff, undersheriff and full-time or part-time salaried deputies in the
2 sheriff's office in each county; deputy sheriffs deputized pursuant to
3 K.S.A. 19-2858, and amendments thereto; conservation officers of the
4 Kansas department of wildlife, parks and tourism; university police
5 officers, as defined in K.S.A. 22-2401a, and amendments thereto; campus
6 police officers, as defined in K.S.A. 22-2401a, and amendments thereto;
7 law enforcement agents of the director of alcoholic beverage control; law
8 enforcement agents designated by the secretary of revenue pursuant to
9 K.S.A. 2021 Supp. 75-5157, and amendments thereto; law enforcement
10 agents of the Kansas lottery; law enforcement agents of the Kansas racing
11 commission; deputies and assistants of the state fire marshal having law
12 enforcement authority; capitol police, existing under the authority of
13 K.S.A. 75-4503, and amendments thereto; ~~special investigators of the~~
14 ~~juvenile justice authority~~ *special agents of the department of corrections*;
15 special investigators designated by the secretary of labor; and law
16 enforcement officers appointed by the adjutant general pursuant to K.S.A.
17 48-204, and amendments thereto. Such terms shall also include railroad
18 policemen appointed pursuant to K.S.A. 66-524, and amendments thereto;
19 school security officers designated as school law enforcement officers
20 pursuant to K.S.A. 72-6146, and amendments thereto; the manager and
21 employees of the horsethief reservoir benefit district pursuant to K.S.A.
22 2021 Supp. 82a-2212, and amendments thereto; and the director of the
23 Kansas commission on peace officers' standards and training and any other
24 employee of such commission designated by the director pursuant to
25 K.S.A. 74-5603, and amendments thereto, as a law enforcement officer.
26 Such terms shall not include any elected official, other than a sheriff,
27 serving in the capacity of a law enforcement or police officer solely by
28 virtue of such official's elected position; any attorney-at-law having
29 responsibility for law enforcement and discharging such responsibility
30 solely in the capacity of an attorney; ~~any employee of the commissioner of~~
31 ~~juvenile justice who is employed solely to perform correctional,~~
32 ~~administrative or operational duties related to juvenile correctional~~
33 ~~facilities~~; any employee of the secretary of corrections; *other than a*
34 *special agent*; any employee of the secretary for children and families; any
35 deputy conservation officer of the Kansas department of wildlife, parks
36 and tourism; or any employee of a city or county who is employed solely
37 to perform correctional duties related to jail inmates and the administration
38 and operation of a jail; or any full-time or part-time salaried officer or
39 employee whose duties include the issuance of a citation or notice to
40 appear provided such officer or employee is not vested by law with the
41 authority to make an arrest for violation of the laws of this state or any
42 municipality thereof, and is not authorized to carry firearms when
43 discharging the duties of such person's office or employment. Such term

1 shall include any officer appointed or elected on a provisional basis.

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

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

8 (j) "Misdemeanor crime of domestic violence" means a violation of
9 domestic battery as provided by K.S.A. 21-3412a, prior to its repeal, or
10 K.S.A. 2021 Supp. 21-5414, and amendments thereto, or any other
11 misdemeanor under federal, municipal or state law that has as an element
12 the use or attempted use of physical force, or the threatened use of a
13 deadly weapon, committed against a person with whom the offender is
14 involved or has been involved in a "dating relationship" or is a "family or
15 household member" as defined in K.S.A. 2021 Supp. 21-5414, and
16 amendments thereto, at the time of the offense.

17 (k) "Auxiliary personnel" means members of organized nonsalaried
18 groups who operate as an adjunct to a police or sheriff's department,
19 including reserve officers, posses and search and rescue groups.

20 (l) "Active law enforcement certificate" means a certificate ~~which~~
21 *that* attests to the qualification of a person to perform the duties of a law
22 enforcement officer and ~~which~~ *that* has not been suspended or revoked by
23 action of the Kansas commission on peace officers' standards and training
24 and has not lapsed by operation of law as provided in K.S.A. 74-5622, and
25 amendments thereto.

26 Sec. 3. K.S.A. 74-5602 is hereby repealed.

27 Sec. 4. This act shall take effect and be in force from and after its
28 publication in the statute book.