

February 20, 2012

The Honorable Tim Owens, Chairperson  
Senate Committee on Judiciary  
Statehouse, Room 559-S  
Topeka, Kansas 66612

Dear Senator Owens:

**SUBJECT:** Fiscal Note for SB 424 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 424 is respectfully submitted to your committee.

SB 424 prohibits the Kansas Commission on Peace Officers Standards and Training from certifying applicants for training if they had been convicted of a felony, a misdemeanor crime of domestic violence or an offense that the Commission determines reflects on the applicant's honesty, trustworthiness, integrity or competence. The bill would add to the definition of conviction any felony juvenile adjudication or diversion after July 1, 2012. Applicants must also complete an assessment to determine that they do not have a mental or personality disorder that would adversely affect the ability to perform the essential functions of a law enforcement officer with reasonable skill, safety and judgment.

Beginning on July 1, 2012, the Commission would be required to fingerprint and do a criminal history check for each applicant for certification and may require the same of a person who has received a certification before July 1, 2012, if the person's conduct is being investigated.

Under current law, failure to complete the continuing education requirements would be grounds for suspension from work without pay. SB 424 would change that to a suspension of a certificate issued under the Kansas Law Enforcement Training Act. The Commission may stay the suspension upon a showing of hardship. An officer may be suspended for all the reasons that would bar certification and would also include using racial or other biased-based policing or engaging in unprofessional conduct as defined by the rules and regulations of the Commission. In addition, the Commission may commence in emergency proceedings to suspend an officer who engages in conduct constitutes grounds for discipline or is a danger to the public. An officer who has been suspended may petition the Commission for reinstatement.

The Honorable Tim Owens, Chairperson

February 20, 2012

Page 2—424

The bill also clarifies that the Kansas Law Enforcement Training Center is within the University of Kansas and that the Director of the Center is appointed by the Chancellor.

Enactment of SB 424 would have no fiscal effect.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J. Anderson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Steven J. Anderson, CPA, MBA  
Director of the Budget

cc: Theresa Gordzica, University of Kansas  
Eric Williams, CPOST