

HOUSE BILL No. 2480

By Committee on Judiciary

1-17

1 AN ACT concerning the Kansas law enforcement training act; relating to
2 definitions; amending K.S.A. 2017 Supp. 74-5602 and repealing the
3 existing section.
4

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

6 Section 1. K.S.A. 2017 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 university of Kansas, created by K.S.A. 74-5603, and
10 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, or the commission's designee.

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

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, parks and tourism; university police
32 officers, as defined in K.S.A. 22-2401a, and amendments thereto; campus
33 police officers, as defined in K.S.A. 22-2401a, and amendments thereto;
34 law enforcement agents of the director of alcoholic beverage control; law
35 enforcement agents designated by the secretary of revenue pursuant to
36 K.S.A. 2017 Supp. 75-5157, and amendments thereto; law enforcement

1 agents of the Kansas lottery; law enforcement agents of the Kansas racing
2 commission; deputies and assistants of the state fire marshal having law
3 enforcement authority; capitol police, existing under the authority of
4 K.S.A. 75-4503, and amendments thereto; special investigators of the
5 juvenile justice authority; special investigators designated by the secretary
6 of labor; and law enforcement officers appointed by the adjutant general
7 pursuant to K.S.A. 48-204, and amendments thereto. Such terms shall also
8 include railroad policemen appointed pursuant to K.S.A. 66-524, and
9 amendments thereto; school security officers designated as school law
10 enforcement officers pursuant to K.S.A. 2017 Supp. 72-6146, and
11 amendments thereto; the manager and employees of the horsethief
12 reservoir benefit district pursuant to K.S.A. 2017 Supp. 82a-2212, and
13 amendments thereto; and the director of the Kansas commission on peace
14 officers' standards and training and any other employee of such
15 commission designated by the director pursuant to K.S.A. 74-5603, and
16 amendments thereto, as a law enforcement officer. Such terms shall not
17 include any elected official, other than a sheriff, serving in the capacity of
18 a law enforcement or police officer solely by virtue of such official's
19 elected position; any attorney-at-law having responsibility for law
20 enforcement and discharging such responsibility solely in the capacity of
21 an attorney; any employee of the commissioner of juvenile justice who is
22 employed solely to perform correctional, administrative or operational
23 duties related to juvenile correctional facilities; any employee of the
24 secretary of corrections, any employee of the secretary for children and
25 families; any deputy conservation officer of the Kansas department of
26 wildlife, parks and tourism; or any employee of a city or county who is
27 employed solely to perform correctional duties related to jail inmates and
28 the administration and operation of a jail; or any full-time or part-time
29 salaried officer or employee whose duties include the issuance of a citation
30 or notice to appear provided such officer or employee is not vested by law
31 with the authority to make an arrest for violation of the laws of this state or
32 any 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. 2017 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~~ *against a person with whom the*
8 *offender is involved or has been involved in a "dating relationship" or is a*
9 *"family or household member" as defined in K.S.A. 2017 Supp. 21-5414,*
10 *and amendments thereto, at the time of the offense.*

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

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

20 Sec. 2. K.S.A. 2017 Supp. 74-5602 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.