

## **Sheriff Qualifications; Kansas Law Enforcement Training Act—Definition of “Misdemeanor Crime of Domestic Violence”; Unlawful Sexual Relations—Law Enforcement Officer; HB 2523**

HB 2523 amends various statutes related to law enforcement officers.

### ***Sheriff Qualifications***

The bill amends the statute setting forth the qualifications required of sheriffs. Specifically, the bill narrows language disqualifying a person from holding the office of sheriff if the person has been convicted of a violation of any federal or state laws or city ordinances relating to gambling, liquor, or narcotics, to disqualify only for a misdemeanor related to gambling, liquor, or narcotics within five years immediately preceding election or appointment. [Note: Any felony committed during the person’s lifetime will continue to disqualify the person.]

The bill removes a specific 320-hour training requirement and clarifies the education, training, and testing required of sheriffs.

The bill also reorganizes continuing standards without substantive change.

### ***Kansas Law Enforcement Training Act***

The bill amends the definition of “misdemeanor crime of domestic violence” in the Kansas Law Enforcement Training Act (KLETA) to replace a list of persons with various relationships to the victim (e.g., current or former spouse) who may commit the crime with the phrase “against a person with whom the offender is involved or has been involved in a ‘dating relationship’ or is a ‘family or household member’ as defined in [the domestic battery criminal statute] at the time of the offense.”

The bill also amends the KLETA statute setting forth qualifications for applicants for certification to provide consistency with the education requirement amendments made to the sheriff qualifications statute.

### ***Unlawful Sexual Relations—Law Enforcement Officer***

The bill amends the crime of unlawful sexual relations, which prohibits persons in certain positions of authority from engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy with certain persons under their authority, to include law enforcement officers, when the person with whom the offender is engaging in such conduct is 16 years of age or older and is interacting with the officer during the course of a traffic stop, a custodial interrogation, or an interview in connection with an investigation, or while the officer has such person detained. Such conduct constitutes a severity level 5 person felony.