

HOUSE BILL No. 2580

By Committee on Corrections and Juvenile Justice

2-1

1 AN ACT concerning law enforcement; relating to the Kansas commission
2 on peace officers' standards and training; certification of law
3 enforcement officers; authorizing legislative service to count toward
4 continuing law enforcement education or training; amending K.S.A.
5 74-5607a and repealing the existing section.
6

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

8 Section 1. K.S.A. 74-5607a is hereby amended to read as follows: 74-
9 5607a. (a) The commission shall not issue a certification as a full-time
10 police officer or law enforcement officer unless such officer has been
11 awarded a certificate attesting to satisfactory completion of a full-time
12 officer basic course of accredited instruction at the training center or at a
13 certified state or local law enforcement training school or has been
14 awarded such a certificate for not less than the number of hours of
15 instruction required by the Kansas law enforcement training act at the time
16 such certificate was issued or received a permanent appointment as a full-
17 time police officer or law enforcement officer prior to July 1, 1969, or was
18 appointed a railroad policeman pursuant to K.S.A. 66-524, and
19 amendments thereto, on or before January 1, 1982. No person shall receive
20 certification as a part-time police officer or law enforcement officer unless
21 such officer has been awarded a certificate attesting to the satisfactory
22 completion of a part-time officer basic course of instruction in law
23 enforcement at the training center or at a certified state or local law
24 enforcement training school.

25 (b) (1) Beginning the second year after certification, every full-time
26 police officer or law enforcement officer shall complete annually 40 hours
27 of continuing law enforcement education or training in subjects relating
28 directly to law enforcement. *Upon a written request submitted to the*
29 *commission, a law enforcement officer serving in the Kansas legislature*
30 *shall receive a reduction of 10 of the 40 required hours of continuing law*
31 *enforcement education or training for each compliance period in which*
32 *the officer serves in the Kansas legislature.*

33 (2) Failure to complete such training shall be grounds for suspension
34 of a certificate issued under the Kansas law enforcement training act until
35 such training is completed, except that the commission may stay any such
36 suspension upon a showing of hardship upon the employing law

1 enforcement agency.

2 (3) The commission, in consultation with the director of police
3 training, shall adopt rules and regulations regarding such education or
4 training. Such education or training may include procedures for law
5 enforcement to follow when responding to an allegation of stalking.

6 (4) Every city, county and state agency shall send to the director
7 certified reports of the completion of such education or training. The
8 commission shall maintain a record of the reports in the central registry.

9 (c) Subject to the provisions of subsection (d):

10 (1) Any person who is appointed or elected as a police officer or law
11 enforcement officer and who does not hold a certificate as required by
12 subsection (a) may be issued a provisional certificate for a period of one
13 year. The commission may extend the one-year period for the provisional
14 certificate if in the commission's determination the extension would not
15 constitute an intentional avoidance of the requirements of subsection (a). If
16 a person's provisional certificate expires or is revoked, the person shall not
17 be issued another provisional certificate within one year of the expiration
18 or revocation. A provisional certificate shall be revoked upon dismissal
19 from any basic training program authorized by K.S.A. 74-5604a, and
20 amendments thereto. A provisional certificate may be revoked upon
21 voluntary withdrawal from any basic training program authorized by
22 K.S.A. 74-5604a, and amendments thereto.

23 (2) Any police officer or law enforcement officer who does not
24 complete the education or training required by subsection (b) by the date
25 such education or training is required to have been completed shall be
26 subject to revocation or suspension of certification and loss of the officer's
27 office or position.

28 (d) The commission may extend, waive or modify the annual
29 continuing education requirement, when it is shown that the failure to
30 comply with the requirements of subsection (a) or (b) was not due to the
31 intentional avoidance of the law.

32 Sec. 2. K.S.A. 74-5607a is hereby repealed.

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