



Kansas Sheriffs Association

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Sheriff Sandy Horton, Executive Director

Testimony to the House Judiciary Committee In Support of HB2022 January 27, 2015

Chairman Barker and Committee Members,

The Kansas Sheriffs Association proposed HB2022 for the primary purpose of bringing the sheriff qualification statute up-to-date with the latest statutory requirements for all Kansas law enforcement officers. It clarifies some requirements that have been subject to a past law suit that eventually was settled in favor of the state agencies. It also makes an adjustment to the temporary pay for elected sheriffs attending a required two week school for new sheriffs which takes place prior to the newly elected sheriff taking office. HB2022 is the same as the bill that passed out of this committee in 2014 but never reached a floor debate in the House. It also passed the Senate in 2014 on a 40-0 vote.

The provisions of section 1 subsection (a)(2) on page 2 lines 1-3 replace the language that has been in place for many years which is stricken on page 1 lines 14-18. It makes the objective criminal violation disqualifications the same for sheriffs as for all law enforcement officers in the Kansas Commission on Police Officer Standards and Training (KS-CPOST) statutes.

The KS-CPOST statutes amended three years ago amended the language for the requirement of having a high school education. Those requirements are duplicated in section 1 subsection (a)(3) on page 2 lines 4-7. It replaces the stricken language on page 1 lines 12-13. This provides consistency between the two statutes. This does not create a substantive change.

Section 1, subsections (b) and (c) is amended at the request of the Kansas Law Enforcement Training Center and KS-CPOST. It clarifies the provisions on what training or testing is required for newly elected sheriffs with varying levels of the elected sheriff's law enforcement certification status. This is largely in response to gaps identified during a lawsuit filed by an elected sheriff several years ago. These provisions are found on page 2 lines 8-34 and replaces the stricken lines on page 1 lines 19-36. These amendments do not reflect any substantive change, but clarify the intent of existing provisions.

The changes in section 1 subsection (d) amends the provision setting the employment status and salary for newly elected sheriffs who are required to attend a two week new sheriffs orientation class at the Kansas Law Enforcement Training Center. This class takes place prior to the newly elected sheriff taking office. There are two amendments in this section. First is a clarification the subsection only applies to the period of time prior to the newly elected sheriff taking office. And secondly changing the salary for the newly elected sheriff only for that two week period while attending the aforementioned class be set at the rate the current sheriff is paid. Currently they are paid at the rate of an entry level deputy. We believe the newly elected sheriff should be paid at the same rate as the current sheriff for that two week period. The cost of this change is the difference for a two week period between the sheriff's salary and an entry level deputy's salary in the county the sheriff was elected to serve.

Section 1, subsection (e) is a revisor's addition to identify the KS-CPOST as the "commission" referred to within the statute.

We respectfully request you recommend this bill favorably for passage.