

### **61.906 Requirements for appointment.**

In order to qualify for a commission as a special law enforcement officer under KRS 61.900 to 61.930, an individual must present satisfactory evidence of compliance with the following conditions and requirements:

- (1) No person shall be eligible for a commission who:
  - (a) Has been dishonorably discharged from the Armed Forces of the United States;
  - (b) Has been convicted in any jurisdiction of any felony or of any crime involving moral turpitude for which he has not received a full pardon;
  - (c) Has been convicted of any other offense or offenses more than five (5) times within the previous three (3) years;
  - (d) Has by any court of competent jurisdiction been declared mentally disabled by reason of mental retardation or disease and has not been restored; or
  - (e) Suffers from habitual drunkenness or from narcotics addiction or dependence, or from any physical defect or deficiency which the secretary determines to materially impair the applicant's ability to perform the duties of a special law enforcement officer.
- (2) Every person to be eligible for a commission shall:
  - (a) Have reached his twenty-first birthday;
  - (b) Provide, on forms supplied by the secretary, such information pertaining to himself as may reasonably be requested thereon, including, but not limited to his: name; age; date of birth; current address and employment; prior addresses and employment for the past ten (10) years; aliases, if any; arrest and conviction record, if any; Social Security number; fingerprints; photographs; and general physical description. The accuracy of such information shall be attested by the applicant and his attestation shall be notarized by one authorized to administer oaths;
  - (c) Be of good moral character;
  - (d) Provide references from two (2) reputable residents of the Commonwealth who are not related to him and who have known him well for a period of not less than three (3) years, attesting to his good character;
  - (e) Pay the fees provided in KRS 61.908; and
  - (f) Provide evidence satisfactory to the secretary that he meets the following requirements:
    1. Is a graduate of an accredited high school or of an equivalent technical or vocational training or education program satisfactory to the secretary; or holds a G.E.D. certificate; provided, however, that all special local peace officers formally commissioned under KRS 61.360 and with unexpired commissions on December 31, 1976, shall be deemed to have met the requirements of this subsection;
    2. Has successfully completed not fewer than eighty (80) hours of training in a program approved by the council and dealing comprehensively with

the subjects of criminal law and the law of arrest, search and seizure; or has been employed as a full-time sworn public peace officer for a period of not less than one (1) year within the past five (5) years, and has never been discharged for cause from employment as a sworn public peace officer; or has been employed in a full-time capacity as a military policeman engaged in law enforcement for the United States Armed Forces for a period of not less than one (1) year within the past five (5) years; or has successfully completed a written, oral and practical examination approved by the council and dealing comprehensively with the subject matter of criminal law and the law of arrest, search and seizure; and

3. Demonstrates, in written and practical examinations approved by the council, knowledge of and proficiency in firearms safety, range firing, the moral and legal aspects of firearms use, and first aid. Provided, however, that all special local peace officers formally commissioned under KRS 61.360 and with unexpired commissions on December 31, 1976, shall be deemed to have met the requirements of these subsections.

**Effective:** July 15, 1988

**History:** Amended 1988 Ky. Acts ch. 283, sec. 3, effective July 15, 1988. -- Amended 1982 Ky. Acts ch. 141, sec. 45, effective July 15, 1982. -- Created 1976 Ky. Acts ch. 178, sec. 5, effective January 1, 1977.

**Note:** 1980 Ky. Acts ch. 396, sec. 48 would have amended this section effective July 1, 1982. However, 1980 Ky. Acts ch. 396 was repealed by 1982 Ky. Acts ch. 141, sec. 146, also effective July 1, 1982.