

CHAPTER 101**(HB 248)**

AN ACT relating to reinstatement of police and fire department employees.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 95.440 is amended to read as follows:

- (1) The legislative body of cities of the home rule class and urban-county governments may require, in addition to the peace officer professional standards training under KRS 15.380 to 15.404, all applicants for appointments as members of the police or fire departments to be examined as to their qualifications for office, including their knowledge of the English language and the law and rules governing the duties of the position applied for.
- (2) Each member of the police or fire department in cities and urban-county governments shall be able to read, write, and understand the English language, and have such other qualifications as may be prescribed. No person shall be appointed a member of the police or fire department unless he *or she* is a person of sobriety and integrity and is and has been an orderly, law-abiding citizen. No person convicted of a felony is eligible for appointment.
- (3) Members of the police and fire departments in cities required to comply with KRS 95.450 or urban-county governments qualified under this section shall hold their positions during good behavior, except that the legislative body may decrease the number of policemen or firefighters as it may deem proper.
- (4) If the legislative body of a city required to comply with KRS 95.450 or urban-county government decreases the number of policemen or firefighters, the youngest members in point of service shall be the first to be released and returned to the eligible list of the department, there to advance according to the rules of the department.
- (5) The legislative body in an urban-county government may by ordinance provide that any person who has successfully completed his *or her* probationary period and subsequently ceased working for the police or fire department for reasons other than dismissal may be restored to the position, rank, and pay he *or she* formerly held or to an equivalent or lower position, rank, or pay than that which he *or she* formerly held if he *or she* so requests in writing to the appointing authority. Such person shall be eligible for reinstatement ~~for a period of one (1) year following his separation from the police or fire department and shall be reinstated~~ only with the approval of the appointing authority.

Signed by Governor April 5, 2024.