

1 AN ACT relating to reemployment of police officers by cities.

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

3 ➔Section 1. KRS 95.022 is amended to read as follows:

4 (1) As used in this section:

5 (a) "City" means any incorporated city, consolidated local government, unified  
6 local government, urban-county government, or charter county government,  
7 operating under the law of this Commonwealth, and the offices and agencies  
8 thereof; and

9 (b) "Police officer" has the same meaning as "police officer" in KRS 15.420 and  
10 as "officer" in KRS 16.010.

11 (2) Subject to the limitations of subsection (7) of this section, a city may employ  
12 individuals as police officers under this section who have retired from the Kentucky  
13 Employees Retirement System, the County Employees Retirement System, or the  
14 State Police Retirement System.

15 (3) To be eligible for employment under this section, an individual shall have:

16 (a) Participated in the Law Enforcement Foundation Program fund under KRS  
17 15.410 to 15.510 or retired as a commissioned officer pursuant to KRS  
18 Chapter 16;

19 (b) Retired with at least twenty (20) years of service credit;

20 (c) Been separated from service for the period required by KRS 61.637 so that the  
21 member's retirement is not voided;

22 (d) Retired with no administrative charges pending; and

23 (e) Retired with no preexisting agreement between the individual and the city  
24 prior to the individual's retirement for the individual to return to work for the  
25 city.

26 (4) Individuals employed under this section shall:

27 (a) Serve for a term not to exceed one (1) year. The one (1) year employment term

- 1           may be renewed annually at the discretion of the employing city;
- 2       (b) Receive compensation according to the standard procedures applicable to the
- 3           employing city; and
- 4       (c) Be employed based upon need as determined by the employing city.
- 5   (5) Notwithstanding any provisions of KRS 16.505 to 16.652, 18A.225 to 18A.2287,
- 6       61.510 to 61.705, or 78.510 to 78.852 to the contrary:
- 7       (a) Individuals employed under this section shall continue to receive all
- 8           retirement and health insurance benefits to which they were entitled upon
- 9           retiring in the applicable system administered by Kentucky Retirement
- 10          Systems;
- 11       (b) Individuals employed under this section shall not be eligible to receive health
- 12          insurance coverage through the employing city;
- 13       (c) The city shall not pay any employer contributions or retiree health expense
- 14          reimbursements to the Kentucky Retirement Systems required by KRS
- 15          61.637(17) for individuals employed under this section; and
- 16       (d) The city shall not pay any insurance contributions to the state health insurance
- 17          plan, as provided by KRS 18A.225 to 18A.2287, for individuals employed
- 18          under this section.
- 19   (6) Individuals employed under this section shall be subject to any merit system, civil
- 20          service, or other legislative due process provisions applicable to the employing city.
- 21          A decision not to renew a one (1) year appointment term under this section shall not
- 22          be considered a disciplinary action or deprivation subject to due process.
- 23   (7) A city government shall be limited in the number of retired police officers that it
- 24          may hire under this section as follows:
- 25       (a) A city government that employed an average of five (5) or fewer police
- 26          officers over the course of calendar year 2015 shall not be limited in the
- 27          number of officers that they may hire under this section;

1 (b) A city government that employed an average of more than five (5) but fewer  
2 than one hundred (100) police officers over the course of calendar year 2015  
3 shall not hire more than five (5) police officers or a number equal to twenty-  
4 five percent (25%) of the police officers employed by the city in calendar year  
5 2015, whichever is greater; and

6 (c) A city government that employed an average of ~~more than~~ one hundred  
7 (100) ***or more*** police officers over the course of calendar year 2015 shall not  
8 hire more than twenty-five (25) police officers or a number equal to ten  
9 percent (10%) of the police officers employed by the city in calendar year  
10 2015, whichever is greater.

11 ***(8) Retired police officers employed by a city government for purposes of KRS***  
12 ***158.4414 shall not apply against the limitations provided by subsection (7) of this***  
13 ***section.***