

SENATE BILL No. 134

By Committee on Federal and State Affairs

2-1

1 AN ACT concerning the Kansas commission on peace officers' standards
2 and training; relating to membership; adding more members; requiring
3 that certain appointments be made with a preference to increase
4 diversity; amending K.S.A. 74-5606 and repealing the existing section.
5

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

7 Section 1. K.S.A. 74-5606 is hereby amended to read as follows: 74-
8 5606. (a) There is hereby created the Kansas commission on peace
9 officers' standards and training, which shall consist of ~~12~~ 16 members
10 ~~which~~. *Such commission* shall include:

11 (1) The superintendent of the Kansas highway patrol, or the
12 superintendent's designee;

13 (2) the director of the Kansas bureau of investigation, or the director's
14 designee;

15 (3) a sheriff of a county having a population of 50,000 or more, to be
16 selected by the governor who shall consider, but not be limited to, a list of
17 three nominees submitted therefor by the Kansas sheriffs' association;

18 (4) a sheriff of a county having a population of less than 50,000 and
19 more than 10,000, to be selected by the governor who shall consider, but
20 not be limited to, a list of three nominees submitted therefor by the Kansas
21 sheriffs' association;

22 (5) a sheriff of a county having a population of 10,000 or less, to be
23 selected by the governor who shall consider, but not be limited to, a list of
24 three nominees submitted therefor by the Kansas sheriffs' association;

25 (6) a chief of police of a city of the first class, to be selected by the
26 governor who shall consider, but not be limited to, a list of three nominees
27 submitted therefor by the Kansas association of chiefs of police;

28 (7) a chief of police of a city of the second class, to be selected by the
29 governor who shall consider, but not be limited to, a list of three nominees
30 submitted therefor by the Kansas association of chiefs of police;

31 (8) a chief of police of a city of the third class, to be selected by the
32 governor who shall consider, but not be limited to, a list of three nominees
33 submitted therefor by the Kansas association of chiefs of police;

34 (9) a training officer from a certified state or local law enforcement
35 training school, to be selected by the governor who shall consider, but not
36 be limited to, a list of three nominees submitted therefor by the Kansas

1 peace officers association;

2 (10) a full-time, commissioned law enforcement officer employed by
3 either a state, county or city agency, to be selected by the governor who
4 shall consider, but not be limited to, a list of three nominees submitted
5 therefor by the fraternal order of police;

6 (11) a county or district attorney, or an assistant county or district
7 attorney, to be selected by the governor who shall consider, but not be
8 limited to, a list of three nominees submitted therefor by the *Kansas*
9 county and district attorneys' attorneys association; and

10 (12) (A) ~~a member~~ five members, selected by the governor,
11 representing the public at large who is:

12 (i) *Have experience or expertise in diverse areas applicable to law*
13 *enforcement;*

14 (ii) *represent diverse geographic areas of the state, including urban,*
15 *rural and suburban areas; and*

16 (iii) *are not currently associated with law enforcement, selected by*
17 *the governor.*

18 (B) *When selecting members pursuant to this paragraph, the*
19 *governor shall:*

20 (i) *Give preference to persons of color and women to promote and*
21 *ensure diverse and ethnic representation; and*

22 (ii) *select members recommended by civil rights organizations, social*
23 *justice organizations and organizations specifically promoting and serving*
24 *the interests of communities of color and women.*

25 (C) *One of the five members selected pursuant to this paragraph*
26 *shall be selected by the governor to serve as chairperson.*

27 (b) Each person initially appointed to a position described in
28 subsection (a)(6), (a)(7), (a)(8), (a)(9) or (a)(12) shall serve for a two-year
29 term and thereafter the term of members appointed to such positions shall
30 be four years. Each person appointed to a position described in subsection
31 (a)(3), (a)(4), (a)(5), (a)(10) or (a)(11) shall serve for a four-year term. A
32 person appointed to a position on the commission shall resign such
33 position upon vacating the office or position which qualified such person
34 to be appointed as a member of the commission in that position. Vacancies
35 in any position shall be filled in the same manner as original appointments.

36 (c) Membership on the commission shall not constitute holding a
37 public office, and members of the commission shall not be required to take
38 and file oaths of office before serving on the commission and shall not be
39 required to be bonded. No member of the commission shall be disqualified
40 from holding any public office or employment by reason of the member's
41 appointment to or membership on the commission and no such member
42 shall forfeit any such office or employment by reason of the member's
43 appointment under this section, notwithstanding the provision of any law

1 or ordinance. Membership of members employed by a city or county shall
2 be deemed for all purposes a duty of the member's employment by such
3 city or county.

4 Sec. 2. K.S.A. 74-5606 is hereby repealed.

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