

**164.952 Employment of retired police officers -- Eligible individuals -- Limitations.**

- (1) As used in this section:
  - (a) "Police officer" has the same meaning as "police officer" in KRS 15.420, as "police officer" in KRS 164.950 to 164.980, and as "officer" in KRS 16.010; and
  - (b) "Postsecondary institution" means any public institution of postsecondary education authorized to establish a police department pursuant to KRS 164.950 to 164.980 that participates in the Kentucky Employees Retirement System.
- (2) Subject to the limitations of subsection (7) of this section, a postsecondary institution may employ individuals as police officers under this section who have retired from the Kentucky Employees Retirement System, the County Employees Retirement System, or the State Police Retirement System.
- (3) To be eligible for employment under this section, an individual shall have:
  - (a) Participated in the Law Enforcement Foundation Program fund under KRS 15.410 to 15.510, retired as a commissioned officer pursuant to KRS Chapter 16, or retired as a police officer from a postsecondary institution;
  - (b) Retired with at least twenty (20) years of service credit;
  - (c) Been separated from service for the period required by KRS 61.637 so that the member's retirement is not voided;
  - (d) Retired with no administrative charges pending; and
  - (e) Retired with no preexisting agreement between the individual and the postsecondary institution prior to the individual's retirement for the individual to return to work for the postsecondary institution.
- (4) Individuals employed under this section shall:
  - (a) Serve for a term not to exceed one (1) year. The one (1) year employment term may be renewed annually at the discretion of the employing postsecondary institution;
  - (b) Receive compensation according to the standard procedures applicable to the employing postsecondary institution; and
  - (c) Be employed based upon need as determined by the employing postsecondary institution.
- (5) Notwithstanding any provisions of KRS 16.505 to 16.652, 18A.225 to 18A.2287, 61.510 to 61.705, or 78.510 to 78.852 to the contrary:
  - (a) Individuals employed under this section shall continue to receive all retirement and health insurance benefits to which they were entitled upon retiring in the applicable system administered by Kentucky Retirement Systems;
  - (b) Individuals employed under this section shall not be eligible to receive health insurance coverage through the employing postsecondary institution;
  - (c) The postsecondary institution shall not pay any employer contributions or

retiree health expense reimbursements to the Kentucky Retirement Systems required by KRS 61.637(17) for individuals employed under this section; and

- (d) The postsecondary institution shall not pay any insurance contributions to the state health insurance plan, as provided by KRS 18A.225 to 18A.2287, for individuals employed under this section.
- (6) Individuals employed under this section shall be subject to any legislative due process provisions applicable to police officers of the employing postsecondary institution. A decision not to renew a one (1) year appointment term under this section shall not be considered a disciplinary action or deprivation subject to due process.
- (7) The number of retired police officers a postsecondary institution may hire under the provisions of this section shall be limited to five (5) retired police officers or a number equal to twenty-five percent (25%) of the police officers employed by the postsecondary institution in calendar year 2018, whichever is greater.

**Effective:** June 27, 2019

**History:** Created 2019 Ky. Acts ch. 127, sec. 1, effective June 27, 2019.

**Legislative Research Commission Note** (6/27/2019). Under the authority of KRS 7.136(1), the Reviser of Statutes has rearranged the paragraphs in subsection (1) of this statute to place the definitions in alphabetical order.