

1 AN ACT relating to conservation officers and declaring an emergency.

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

3 ➔Section 1. KRS 15.410 is amended to read as follows:

4 It is the intention of the General Assembly to ensure~~assure~~ that the criminal laws of the  
5 Commonwealth are enforced fairly, uniformly and effectively throughout the state by  
6 strengthening and upgrading~~local~~ law enforcement; to attract competent, highly  
7 qualified young people to the field of law enforcement and to retain qualified and  
8 experienced officers for the purpose of providing maximum protection and safety to the  
9 citizens of, and the visitors to, this Commonwealth; and to offer a state monetary  
10 supplement for~~local~~ law enforcement officers while upgrading the educational and  
11 training standards of the~~such~~ officers.

12 ➔Section 2. KRS 15.420 is amended to read as follows:

13 As used in KRS 15.410 to 15.510~~, unless the context otherwise requires~~:

14 (1) **"Council" means the Kentucky Law Enforcement Council;**~~"Local unit of~~  
15 ~~government" means any city or county, combination of cities and counties, state or~~  
16 ~~public university, or county sheriff's office of the Commonwealth.]~~

17 (2) **(a)** "Police officer" means:

18 **1. A local officer, limited to:**

19 **a.** A full-time member of a lawfully organized police department of  
20 county, urban-county or city government;~~;~~

21 **b.** A sheriff or full-time deputy sheriff, including any providing court  
22 security or appointed under KRS 70.030;~~;~~ or

23 **c.** A state or public university police officer;  
24 who is responsible for the prevention and detection of crime and the  
25 enforcement of the general criminal laws of the state; and~~;~~

26 **2. A conservation officer;** ~~but ]~~

27 **(b)** **"Police officer"** does not include **any:**

- 1            1. ***Person employed by the*** Department of Kentucky State Police;~~[-, any]~~
- 2            2. Sheriff who earns the maximum constitutional salary for this office;~~[-,~~
- 3                       ~~any]~~
- 4            3. Special deputy sheriff appointed under KRS 70.045;~~[-, any]~~
- 5            4. Constable ~~or~~~~[-,]~~ deputy constable;~~[-,]~~
- 6            5. District detective ~~or~~~~[-,]~~ deputy district detective;~~[-,]~~
- 7            6. Special local peace officer;~~[-,]~~
- 8            7. Auxiliary police officer;~~[-,]~~ or~~[- any]~~
- 9            8. Other peace officer not specifically authorized in KRS 15.410 to 15.510.

10 (3) **"Unit of government" means any city, county, combination of cities and counties,**  
 11 **public university, the Department of Fish and Wildlife Resources, or county**  
 12 **sheriff's office of the Commonwealth; and**~~["Council" means the Kentucky Law~~  
 13 ~~Enforcement Council.]~~

14 (4) "Validated job task analysis" means the core job description which describes the  
 15 minimum entry level requirements, qualifications, and training requirements for  
 16 peace officers in the Commonwealth, which is based upon an actual survey and  
 17 study of police officer duties and responsibilities conducted by an entity recognized  
 18 by the~~[- Kentucky Law Enforcement]~~ council as being competent to conduct such a  
 19 study.

20 ➔Section 3. KRS 15.440 is amended to read as follows:

- 21 (1) Each~~[- local]~~ unit of government which meets the following requirements shall be
- 22 eligible to share in the distribution of funds from the Law Enforcement Foundation
- 23 Program fund:
- 24 (a) Employs one (1) or more police officers;
- 25 (b) Pays every police officer at least the minimum federal wage;
- 26 (c) **Requires all police officers to have, at a minimum,**~~Maintains the minimum~~  
 27 ~~educational requirement of]~~ a high school degree, or its equivalent as

1 determined by the ~~{Kentucky Law Enforcement}~~ council, **except that each**  
 2 **police officer employed prior to the date on which the officer's department**  
 3 **was included as a participant under KRS 15.410 to 15.510** ~~{for employment~~  
 4 ~~of police officers on or after July 1, 1972, and for all sheriffs appointed or~~  
 5 ~~elected on or after July 15, 1998, and all deputy sheriffs, and state or public~~  
 6 ~~university police officers employed after July 15, 1998; provided, however,~~  
 7 ~~that all police officers employed prior to July 1, 1972, shall be deemed to~~  
 8 ~~have met the requirements of this subsection, and that all sheriffs serving in~~  
 9 ~~office on July 15, 1998, all deputy sheriffs, and state or public university~~  
 10 ~~police, employed prior to July 15, 1998,}~~ shall be deemed to have met the  
 11 requirements of this subsection;

- 12 (d) 1. Requires all police officers ~~{employed on or after July 1, 1972, and all~~  
 13 ~~sheriffs appointed or elected on or after July 15, 1998, and deputy~~  
 14 ~~sheriffs, and state or public university police officers employed on or~~  
 15 ~~after January 1, 1998,}~~ to successfully complete a basic training course  
 16 of nine hundred twenty-eight (928) hours' duration within one (1) year  
 17 of the date of employment at a school certified or recognized by the  
 18 ~~{Kentucky Law Enforcement}~~ council, which may provide a different  
 19 number of hours of instruction as established in this paragraph, **except**  
 20 **that each police officer employed prior to the date on which the**  
 21 **officer's department was included as a participant under KRS 15.410**  
 22 **to 15.510** ~~{. All sheriffs serving in office on July 15, 1998, all deputy~~  
 23 ~~sheriffs, and state or public university police, employed prior to January~~  
 24 ~~1, 1998,}~~ shall be deemed to have met the requirements of this  
 25 subsection.
- 26 2. As the exclusive method by which the number of hours required for  
 27 basic training courses shall be modified from that which is specifically

1 established by this paragraph, the council may, by the promulgation of  
2 administrative regulations in accordance with the provisions of KRS  
3 Chapter 13A, explicitly set the exact number of hours for basic training  
4 at a number different from nine hundred twenty-eight (928) hours based  
5 upon a training curriculum approved by the Kentucky Law Enforcement  
6 Council as determined by a validated job task analysis.

7 3. If the council sets an exact number of hours different from nine hundred  
8 twenty-eight (928) in an administrative regulation as set out in this  
9 paragraph, it shall not further change the number of hours required for  
10 basic training without promulgating administrative regulations in  
11 accordance with the provisions of KRS Chapter 13A.

12 4. Nothing in this paragraph shall be interpreted to prevent the council  
13 pursuant to its authority under KRS 15.330 from approving training  
14 schools with a curriculum requiring attendance of a number of hours  
15 that exceeds nine hundred twenty-eight (928) hours or the number of  
16 hours established in an administrative regulation set out by  
17 subparagraphs 2. and 3. of this paragraph. However, the training  
18 programs and schools for the basic training of law enforcement  
19 personnel conducted by the department pursuant to KRS 15A.070 shall  
20 not contain a curriculum that requires attendance of a number of hours  
21 for basic training that is different from nine hundred twenty-eight (928)  
22 hours or the number of hours established in an administrative regulation  
23 promulgated by the council pursuant to the provisions of KRS Chapter  
24 13A as set out by subparagraphs 2. and 3. of this paragraph.

25 5. KRS 15.400 and 15.404(1), and subparagraphs 1. to 4. of this paragraph  
26 to the contrary notwithstanding, the council may, through the  
27 promulgation of administrative regulations in accordance with KRS

- 1 Chapter 13A, approve basic training credit for:
- 2 a. Years of service credit as a law enforcement officer with previous
- 3 service in another state; and
- 4 b. Basic training completed in another state;
- 5 (e) Requires all police officers~~[, whether originally employed before or after July~~
- 6 ~~1, 1972, and all sheriffs appointed or elected before, on, or after July 15,~~
- 7 ~~1998, and all deputy sheriffs and state or public police officers employed~~
- 8 ~~before, on, or after July 15, 1998,]~~ to successfully complete each calendar
- 9 year an in-service training course, appropriate to the officer's rank and
- 10 responsibility and the size and location of ***the officer's***~~[his]~~ department, of
- 11 forty (40) hours' duration, of which the number of hours shall not be changed
- 12 by the council, at a school certified or recognized by the~~[ Kentucky Law~~
- 13 ~~Enforcement]~~ council. This requirement shall be waived for the period of time
- 14 that a peace officer is serving on active duty in the United States Armed
- 15 Forces. This waiver shall be retroactive for peace officers from the date of
- 16 September 11, 2001;
- 17 (f) ***Complies***~~[Requires compliance]~~ with all provisions of law applicable to
- 18 ***police officers or police department***~~[local police, state or public university~~
- 19 ~~police, or sheriffs and their deputies]~~, including transmission of data to the
- 20 centralized criminal history record information system as required by KRS
- 21 17.150;
- 22 (g) ***Complies***~~[Requires compliance]~~ with all~~[ reasonable]~~ rules and regulations,
- 23 appropriate to the size and location of the~~[ local]~~ police department~~[, state or~~
- 24 ~~public university police department, or sheriff's office]~~, issued by the Justice
- 25 and Public Safety Cabinet to facilitate the administration of the fund and
- 26 further the purposes of KRS 15.410 to 15.510;
- 27 (h) Possesses a written policy and procedures manual related to domestic

1 violence for law enforcement agencies that ~~meets the standards set forth by,~~  
 2 ~~and~~ has been approved by ~~the~~ the Justice and Public Safety Cabinet. The  
 3 policy shall comply with the provisions of KRS 403.715 to 403.785. The  
 4 policy shall include a purpose statement ~~statements~~; definitions; supervisory  
 5 responsibilities; procedures for twenty-four (24) hour access to protective  
 6 orders; procedures for enforcement of court orders or relief when protective  
 7 orders are violated; procedures for timely and contemporaneous reporting of  
 8 adult abuse and domestic violence to the Cabinet for Health and Family  
 9 Services ~~Families and Children~~, Department for Community Based Services;  
 10 victim rights, assistance, and service responsibilities; and duties related to  
 11 timely completion of records; and

- 12 (i) Possesses by January 1, 2017, a written policy and procedures manual related  
 13 to sexual assault examinations that meets the standards set forth by, and has  
 14 been approved by, the Justice and Public Safety Cabinet, and which includes:
- 15 1. A requirement that evidence collected as a result of an examination  
 16 performed under KRS 216B.400 be taken into custody within five (5)  
 17 days of notice from the collecting facility that the evidence is available  
 18 for retrieval;
  - 19 2. A requirement that evidence received from a collecting facility relating  
 20 to an incident which occurred outside the jurisdiction of the department  
 21 be transmitted to a department with jurisdiction within ten (10) days of  
 22 its receipt by the department;
  - 23 3. A requirement that all evidence retrieved from a collecting facility under  
 24 this paragraph be transmitted to the Department of Kentucky State  
 25 Police forensic laboratory within thirty (30) days of its receipt by the  
 26 department;
  - 27 4. A requirement that a suspect standard, if available, be transmitted to the

1 Department of Kentucky State Police forensic laboratory with the  
2 evidence received from a collecting facility; and

3 5. A process for notifying the victim from whom the evidence was  
4 collected of the progress of the testing, whether the testing resulted in a  
5 match to other DNA samples, and if the evidence is to be destroyed. The  
6 policy may include provisions for delaying notice until a suspect is  
7 apprehended or the office of the Commonwealth's attorney consents to  
8 the notification, but shall not automatically require the disclosure of the  
9 identity of any person to whom the evidence matched.

10 (2) ~~A [No local] unit of government which meets the criteria of this section shall be~~  
11 ~~eligible to continue sharing in the distribution of funds from the Law Enforcement~~  
12 ~~Foundation Program fund **only if** [unless] the [local] police department **remains in**~~  
13 ~~**compliance** [state or public university police department, or sheriff's office actually~~  
14 ~~begins and continues to comply] with the requirements of this section [; provided,~~  
15 ~~further, that no local unit shall be eligible to share in the distribution of funds from~~  
16 ~~the Law Enforcement Foundation Program fund until the local police department,~~  
17 ~~state or public university police department, or sheriff's office has substantially~~  
18 ~~complied with subsection (1)(f) and (g) of this section].~~

19 (3) **Deputies employed by** a sheriff's office shall **be eligible to participate** ~~[not lose~~  
20 ~~eligibility to share] in the distribution of funds from the Law Enforcement~~  
21 ~~Foundation Program fund **regardless of participation by** [if] the sheriff [does not~~  
22 ~~participate in the Law Enforcement Foundation Program fund].~~

23 (4) **(a) A conservation officer shall be a participant in the Kentucky Law**  
24 **Enforcement Foundation Program fund but shall not receive an annual**  
25 **supplement from that fund.**

26 **(b) A conservation officer shall receive an annual training stipend, paid from**  
27 **the game and fish fund established in KRS 150.150, commensurate to the**

1                   *annual supplement paid to other police officers from the Kentucky Law*  
 2                   *Enforcement Foundation Program fund.*

3     (5) Failure to meet a deadline established in a policy adopted pursuant to subsection  
 4     (1)(i) of this section for the retrieval or submission of evidence shall not be a basis  
 5     for a dismissal of a criminal action or a bar to the admissibility of the evidence in a  
 6     criminal action.

7     ➔Section 4. KRS 15.430 is amended to read as follows:

8     (1) There is hereby established the Law Enforcement Foundation Program fund  
 9     consisting of appropriations from the general fund of the Commonwealth of  
 10    Kentucky, and insurance premium surcharge proceeds which accrue to this fund  
 11    pursuant to KRS 42.190 and 136.392. Any other funds, gifts, or grants made  
 12    available to the state for distribution to ~~local~~ units of government in accordance  
 13    with the provisions of KRS 15.410 to 15.510 also shall be made a part of this fund.

14    (2) All moneys remaining in this fund on July 1, 1982, and deposited thereafter,  
 15    including earnings from their investment, shall be deemed a trust and agency  
 16    account, but, beginning with fiscal year 1994-95, through June 30, 1999, moneys  
 17    remaining in the account at the end of the fiscal year in excess of three million  
 18    dollars (\$3,000,000) shall lapse. On and after July 1, 1999, moneys in this account  
 19    shall not lapse.

20    ➔Section 5. KRS 15.450 is amended to read as follows:

21    (1) The secretary or *the secretary's* ~~his or her~~ designated representative shall  
 22    administer the Law Enforcement Foundation Program fund pursuant to the  
 23    provisions of KRS 15.410 to 15.510 and may promulgate any administrative  
 24    regulations ~~as, in his or her judgment, are~~ necessary to carry out *the*  
 25    *secretary's* ~~his~~ responsibilities under KRS 15.410 to 15.510. Administrative  
 26    hearings promulgated by administrative regulation under authority of this section  
 27    shall be conducted in accordance with KRS Chapter 13B.



1 (2) The secretary or the secretary's~~[his]~~ designated representative~~[ shall determine~~  
 2 ~~which local units of government are eligible to share in the Law Enforcement~~  
 3 ~~Foundation Program fund and]~~ may withhold or terminate payments to any~~[ local]~~  
 4 unit of government that does not comply with the requirements of KRS 15.410 to  
 5 15.510 or the administrative regulations issued by the Justice and Public Safety  
 6 Cabinet under KRS 15.410 to 15.510.

7 (3) The Justice and Public Safety Cabinet shall, from moneys appropriated and  
 8 accruing to the fund as provided under KRS 15.430, receive reimbursement for the  
 9 salaries and other costs of administering the fund, including, but not limited to,  
 10 council operations and expenses. The amount to be reimbursed for any given year  
 11 shall be determined by the council and shall not exceed five percent (5%) of the  
 12 total amount of funds for that year.

13 (4) The Justice and Public Safety Cabinet shall furnish periodically to the council any  
 14 reports as may be deemed reasonably necessary.

15 ➔Section 6. KRS 15.460 is amended to read as follows:

16 (1) (a) Except as provided in subsection (4)(a) of this section,~~[ beginning July 15,~~  
 17 ~~1998,]~~ an eligible~~[ local]~~ unit of government shall be entitled to receive~~[~~  
 18 ~~annually a supplement of two thousand seven hundred fifty dollars (\$2,750)~~  
 19 ~~for each qualified police officer it employs, and beginning on July 1, 1999,]~~  
 20 an annual supplement of three thousand dollars (\$3,000) for each qualified  
 21 police officer it employs. **The annual supplement amount shall be increased**  
 22 **to four thousand dollars (\$4,000) beginning July 1, 2018.**

23 **(b) 1. In addition to the annual supplement, the unit of government shall**  
 24 **receive**~~[, plus]~~ an amount equal to the required employer's contribution  
 25 on the supplement to the defined benefit pension plan **and duty category**  
 26 to which the officer belongs~~[, but no more than the required employer's~~  
 27 ~~contribution to the County Employees Retirement System hazardous~~

1           ~~duty category~~]. In the case of County Employees Retirement System  
 2           membership, the pension contribution on the supplement shall be paid  
 3           whether the officer enters the system under hazardous duty coverage or  
 4           nonhazardous coverage. **The amounts specified in this paragraph shall**  
 5           **include a proportionate amount for any supplemental contributions**  
 6           **employers are required to make to any retirement system.**

7           **2.** The ~~local~~ unit of government shall pay the amount received for  
 8           retirement coverage to the appropriate retirement system to cover the  
 9           required employer contribution on the pay supplement.

10          **3.** Should the foundation program funds be insufficient to pay employer  
 11          contributions to the system, then the total amount available for pension  
 12          payments shall be prorated to each eligible government so that each  
 13          receives the same percentage of required pension costs attributable to  
 14          the cash salary supplement.

15          (2) **The annual supplement provided in subsection (1) of this section shall be paid by**  
 16          **the unit of government to each police officer whose qualifications resulted in**  
 17          **receipts of a supplemental payment. The payment shall be in addition to the**  
 18          **police officer's**~~Each qualified police officer, whose local government receives a~~  
 19          ~~supplement pursuant to subsection (1) of this section, shall be paid by the local~~  
 20          ~~government the supplement which his or her qualifications brought to the local~~  
 21          ~~government. The supplement paid each police officer shall be in addition to his or~~  
 22          ~~her~~ regular salary and, except as provided in subsection (4)(b) of this section, shall  
 23          continue to be paid to **a police**~~an~~ officer who is a member of:

24          (a) The Kentucky National Guard during any period of activation under Title 10  
 25          or 32 of the United States Code or KRS 38.030; or

26          (b) Any reserve component of the United States Armed Forces during any period  
 27          of activation with the United States Armed Forces.

- 1 (3) (a) ~~Each~~ qualified sheriff who receives the maximum salary allowed by  
2 Section 246 of the Kentucky Constitution and KRS 64.527 shall not receive a  
3 supplement.
- 4 (b) ~~Each~~ qualified sheriff who does not receive the maximum salary allowed  
5 by Section 246 of the Kentucky Constitution and KRS 64.527, excluding the  
6 expense allowance provided by KRS 70.170, shall upon annual settlement  
7 with the fiscal court under KRS 134.192, receive that portion of the  
8 supplement that will not cause *the sheriff's*~~his or her~~ compensation to  
9 exceed the maximum salary.
- 10 (c) ~~Each~~ qualified sheriff who seeks to participate in the fund shall forward a  
11 copy of the annual settlement prepared under KRS 134.192 to the fund. The  
12 sheriff shall reimburse the fund if an audit of the annual settlement conducted  
13 pursuant to KRS 134.192 reflects that the sheriff received all or a portion of  
14 the supplement in violation of this section. A sheriff who fails to provide a  
15 copy of the annual settlement to the fund or to reimburse the fund after  
16 correction by audit, if required, shall not be qualified to participate in the fund  
17 for a period of two (2) years.
- 18 (d) ~~Each~~ qualified deputy sheriff shall receive the supplement from the sheriff  
19 if the sheriff administers *a separate*~~his or her own~~ budget or from the county  
20 treasurer if the sheriff pools *the*~~his or her~~ fees *received by the sheriff*. The  
21 failure of a sheriff to comply with the provisions of this section shall not  
22 affect the qualification of *the qualified deputy sheriff*~~his or her deputies~~ to  
23 participate in the fund.
- 24 (4) (a) Eligible~~local~~ units of government shall receive the salary supplement,  
25 excluding funds applicable to the employer's pension fund contribution,  
26 provided in subsection (1) of this section for distribution to *a police*~~an~~  
27 officer who is eligible under subsection (2) of this section.

1 (b) A qualified police officer receiving a salary supplement during any period of  
 2 military activation, as provided in subsection (2) of this section, shall not be  
 3 entitled to receive the employer's pension system contribution, and the salary  
 4 supplement shall not be subjected to an employee's contribution to a pension  
 5 system. The salary supplement shall otherwise be taxable for all purposes.

6 **(5) A unit of government receiving disbursements under this section shall follow all**  
 7 **laws applicable to it that may govern due process disciplinary procedures for its**  
 8 **officers, but this subsection shall not be interpreted to:**

9 **(a) Authorize the Department of Criminal Justice Training, the Justice and**  
 10 **Public Safety Cabinet, or the council to investigate, judge, or exercise any**  
 11 **control or jurisdiction regarding the compliance of a unit of government**  
 12 **with laws that may govern due process disciplinary procedures for its**  
 13 **officers, except as otherwise provided by law;**

14 **(b) Create a private right of action for any police officer regarding an agency's**  
 15 **participation in this section;**

16 **(c) Authorize a termination of an agency's participation as a result of a**  
 17 **judgment that the unit of government failed to follow its procedures in any**  
 18 **independent cause of action brought by the police officer against the unit of**  
 19 **government; or**

20 **(d) Prevent the adoption, amendment, or repeal of any laws that may govern**  
 21 **the due process disciplinary procedures of a unit of government's police**  
 22 **officers.**

23 ➔Section 7. KRS 15.470 is amended to read as follows:

24 Law Enforcement Foundation Program funds made available to~~[-local]~~ units **of**  
 25 **government** shall be received, held, and expended in accordance with the provisions of  
 26 KRS 15.410 to 15.510, including the administrative regulations promulgated by the  
 27 Justice and Public Safety Cabinet and the following specific restrictions:

- 1 (1) Funds provided shall be used only as a cash salary supplement to police officers,  
 2 for payments to the defined benefit pension plan to which the officer belongs to  
 3 cover employer retirement costs on the cash salary supplement, and for  
 4 administrative costs as provided in KRS 15.450;
- 5 (2) Funds provided shall be used only to compensate police officers who have  
 6 complied with KRS 15.440(1)(c), (d), and (e);
- 7 (3) Each police officer shall be entitled to receive the state supplement which the  
 8 officer's~~his~~ qualifications brought to the~~local~~ unit of government;
- 9 (4) Funds provided shall not be used to supplant existing salaries or as a substitute for  
 10 normal salary increases periodically due to police officers;
- 11 (5) Each police officer receiving the state supplement who is also a member of the  
 12 Kentucky National Guard or any reserve component of the United States Armed  
 13 Forces shall continue to receive the state supplement during any period of military  
 14 activation, as provided in KRS 15.460(2); and
- 15 (6) Funds distributed or received pursuant to subsection (5) of this section shall be  
 16 excluded from all aspects of the Kentucky Retirement Systems or any other  
 17 retirement system.

18 ➔Section 8. KRS 15.480 is amended to read as follows:

19 The Finance and Administration Cabinet, on the certification of the Justice and Public  
 20 Safety Cabinet, shall draw warrants as specified hereinafter on the State Treasurer for the  
 21 amount of the Law Enforcement Foundation Program fund due each participating~~local~~  
 22 unit of government. Checks shall be issued by the State Treasurer and transmitted to the  
 23 Justice and Public Safety Cabinet for distribution to the proper officials of participating~~local~~  
 24 ~~local~~ units of government which have complied with the provisions of KRS 15.410 to  
 25 15.510 and the administrative regulations of the Justice and Public Safety Cabinet.  
 26 Beginning July 1, 1972, and on the first day of each month thereafter, the share of each  
 27 eligible and participating~~local~~ unit of government shall be distributed from the Law

1 Enforcement Foundation Program fund.

2 ➔Section 9. KRS 15.490 is amended to read as follows:

- 3 (1) Each participating~~[local]~~ unit of government shall submit reports to the Justice and  
4 Public Safety Cabinet on March 31, June 30, September 30, and December 31 of  
5 each year containing information relative to number, rank, education, training, and  
6 compensation of police officers employed by it and the disposition made of any  
7 state or other funds received pursuant to KRS 15.410 to 15.510. Nothing in this  
8 section shall prohibit the Justice and Public Safety Cabinet from requiring  
9 additional information or reports from participating~~[local]~~ units of government;
- 10 (2) ~~[Local]~~Units of government shall include the additional compensation paid to each  
11 police officer from the Law Enforcement Foundation Program fund as a part of the  
12 officer's salary in determining all payroll deductions.

13 ➔Section 10. KRS 15.500 is amended to read as follows:

- 14 (1) If funds appropriated by the General Assembly and otherwise made available to the  
15 Law Enforcement Foundation Program fund are insufficient to provide the amount  
16 of money required by KRS 15.460, the Justice and Public Safety Cabinet shall  
17 establish the rate of assistance to be paid~~[to eligible local units of governments]~~.
- 18 (2) Funds unexpended by the Justice and Public Safety Cabinet at the close of the fiscal  
19 year for which the funds were appropriated and otherwise made available to this  
20 fund, pursuant to KRS 15.430, 42.190 and 136.392, shall not lapse as provided by  
21 KRS 45.229 but shall be carried forward into the following fiscal year and shall be  
22 used solely for the purposes specified in KRS 15.410 to 15.500.

23 ➔Section 11. Whereas the support of our law enforcement and firefighter  
24 community is critical, an emergency is declared to exist, and this Act takes effect upon its  
25 passage and approval by the Governor or upon its otherwise becoming a law.