GENERAL ASSEMBLY
COMMONWEALTH OF KENTUCKY

2015 REGULAR SESSION

HOUSE BILL NO. 333

THURSDAY, FEBRUARY 26, 2015

The following bill was reported to the Senate from the House and ordered to be printed.

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ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY K. Adler

1 AN ACT relating to peace officers.

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

3 ➔Section 1. KRS 15.520 is amended to read as follows:

4 (1) ***As used in this section:***

5 ***(a) "Citizen" means any individual who is not:***

6 ***1. A member or supervisor within the law enforcement agency that***

7 ***employs an officer; or***

8 ***2. An elected or appointed official within the unit of government under***

9 ***which the law enforcement agency that employs the officer is***

10 ***organized;***

11 ***(b) "Complaint" means any statement by a citizen, whether written or verbal,***

12 ***that alleges any type of misconduct by an officer, including statements that***

13 ***are submitted or received anonymously;***

14 ***(c) "Disciplinary action" means termination, demotion, a decrease in pay or***

15 ***grade, suspension without pay, and a written reprimand;***

16 ***(d) "General employment policies" means the rules, regulations, policies, and***

17 ***procedures commonly applicable to the general workforce or civilian***

18 ***employees that are not unique to law enforcement activities or the exercise***

19 ***of peace officer authority, regardless of whether those rules, regulations,***

20 ***policies, and procedures exist or appear in a departmental manual or***

21 ***handbook that is solely applicable to a law enforcement department or***

22 ***agency within the unit of government employing the officer;***

23 ***(e) "Interrogation" means a formal investigative interview and does not mean***

24 ***conversations or meetings of supervisory personnel and subordinate officers***

25 ***that are not intended to result in disciplinary action, such as conversations***

26 ***or meetings held for the purpose of providing corrective instruction***

27 ***counseling or coaching;***

1 *(f) "Law enforcement procedures" means only those policies, rules, and*
2 *customs that:*
3 *1. Are specific to the conduct of officers in the exercise of law*
4 *enforcement powers and functions, including, without limitation: use*
5 *of force, conduct in the course of pursuits, conduct during stops or*
6 *detentions of citizens, conduct in the course of interacting with,*
7 *assisting, or questioning of citizens, and investigative conduct;*
8 *2. Are carried out in the course of peace officer functions;*
9 *3. Are not general employment policies; and*
10 *4. That may exist in either written form or in the form of unwritten*
11 *standards, practices, or protocols generally accepted and applied in the*
12 *law enforcement profession.*
13 *(g) "Misconduct" means any act or omission by an officer that violates*
14 *criminal law, law enforcement procedures, or the general employment*
15 *policies of the employing agency; and*
16 *(h) "Officer" means a person employed as a full-time peace officer by a unit of*
17 *government that receives funds under KRS 15.410 to 15.510 who has*
18 *completed any officially established initial probationary period of*
19 *employment lasting no longer than twelve (12) months not including, unless*
20 *otherwise specified by the employing agency, any time the officer was*
21 *employed and completing the basic training required by KRS 15.404.*
22 *(2)* In order to establish a minimum system of professional conduct *for*[~~of the police~~]
23 officers of local units of government of this Commonwealth, the following
24 standards[~~ of conduct~~] are stated as the intention of the General Assembly to deal
25 fairly and set administrative due process rights *in certain disciplinary matters*
26 *concerning those*[~~for police~~] officers of *an employing*[~~the local~~] unit of
27 government *that participates in the Kentucky Law Enforcement Foundation*

1 ***Program fund administered pursuant to KRS 15.430*** and, at the same time, ***to***
2 ***provide*** [~~providing~~]a means for redress by the citizens of the Commonwealth for
3 wrongs allegedly done to them by [~~police~~] officers covered by this section. [~~:~~]
4 ***(3)***[~~(a)~~] Any complaint taken from ***a citizen***[~~any individual~~] alleging misconduct on
5 the part of any ***officer***[~~police officer, as defined herein,~~] shall be taken as follows:
6 ***(a)***[~~1.~~] If the complaint alleges criminal activity ***by an***[~~on behalf of a police~~]
7 officer, the allegations may be investigated without a signed, sworn complaint
8 of the ***citizen***[~~individual~~];
9 ***(b)***[~~2.~~] If the complaint alleges ***any other type of violation not constituting***
10 ***criminal activity, including violations of law enforcement procedures or the***
11 ***general employment policies of the employing agency***[~~abuse of official~~
12 ~~authority or a violation of rules and regulations of the department~~], an
13 affidavit, signed and sworn to by the ***citizen***[~~complainant~~], shall be obtained,
14 ***except as provided by paragraph (c) of this subsection; or***
15 ***(c)***[~~3.~~] If a complaint is required to be obtained and the ***citizen***[~~individual~~],
16 upon request, refuses to make allegations under oath in the form of an
17 affidavit, signed and sworn to, the ***employing agency***[~~department~~] may
18 investigate the allegations, but shall bring charges ***under subsection (6) of***
19 ***this section*** against the [~~police~~]officer only if the ***employing***
20 ***agency***[~~department~~] can independently substantiate the allegations absent the
21 sworn statement of the ***citizen***[~~complainant;~~
22 ~~4. Nothing in this section shall preclude a department from investigating~~
23 ~~and charging an officer both criminally and administratively~~].
24 ***(4) (a) When an officer is accused of an act or omission that would constitute a***
25 ***violation of law enforcement procedures by any individual within the law***
26 ***enforcement agency employing the officer, including supervisors and***
27 ***elected or appointed officials of the officer's employing agency, the***

1 ***employing agency shall conform the conduct of any investigation to the***
2 ***provisions of subsection (5) of this section, shall formally charge the officer***
3 ***in accordance with subsection (6) of this section, and shall conduct a***
4 ***hearing in accordance with subsection (7) of this section before any***
5 ***disciplinary action shall be taken against the officer.***
6 ***(b) The provisions of this subsection shall not prevent the employing agency***
7 ***from suspending the officer, with or without pay, during an investigation***
8 ***and pending the final disposition of any formal charges, except that an***
9 ***officer suspended without pay shall be entitled to full back pay and benefits***
10 ***for the regular hours he or she would have worked if no formal charges are***
11 ***brought or the hearing authority finds the officer not guilty of the charges.***
12 ***(c) An employing agency shall not be required to follow the provisions of this***
13 ***section in addressing conduct by the officer that would constitute a violation***
14 ***of the general employment policies of the employing agency.***
15 ***(5) (a) Any complaint filed by a citizen under subsection (3) of this section or any***
16 ***allegation of conduct that would constitute a violation of law enforcement***
17 ***procedures under subsection (4) of this section shall be investigated by the***
18 ***employing agency or another designated law enforcement agency in***
19 ***accordance with the provisions of this subsection if the employing agency***
20 ***determines that an investigation of the complaint or the alleged conduct is***
21 ***warranted.***
22 (b) No threats, promises, or coercions shall be used at any time against any
23 [~~police~~]officer while he or she is a suspect in a criminal ***case or has been***
24 ***accused of a violation of law enforcement procedures***[~~or departmental~~
25 ~~matter~~]. Suspension from duty with or without pay, or reassignment to other
26 than an officer's regular duties during the period shall not be deemed coercion.
27 Prior to or within twenty-four (24) hours after suspending the officer pending

1 investigation or disposition of a complaint, the officer shall be advised in
2 writing of the reasons for the suspension.[;]
3 (c) ***Unless otherwise agreed to in writing by the officer,*** no police officer shall be
4 subjected to interrogation ***for alleged conduct that violates law enforcement***
5 ***procedures***[in a departmental matter involving] alleged misconduct on his or
6 her part], until forty-eight (48) hours have expired from the time the request
7 for interrogation is made to the accused officer, in writing. ***The notice of***
8 ***interrogation shall include a statement regarding any reason for the***
9 ***interrogation and shall be served on the officer by certified mail, return***
10 ***receipt requested, or by personal delivery.***
11 ***(d)*** The interrogation shall be conducted while the officer is on duty. The [police
12]officer may be required to submit a written report of the alleged incident if
13 the request is made by the ***employing agency***[department] no later than the
14 end of the subject officer's next tour of duty after the tour of duty during
15 which the ***employing agency***[department] initially was made aware of the
16 ***complaint.***[charges;]
17 ***(e)***[(d)] If ***an***[a police] officer is under arrest, or likely to be arrested, or a
18 suspect in any criminal investigation, he ***or she*** shall be afforded the same
19 constitutional due process rights that are accorded to any civilian, including,
20 but not limited to, the right to remain silent and the right to counsel, and shall
21 be notified of those rights before any questioning commences. [Nothing in this
22 section shall prevent the suspension with or without pay or reassignment of
23 the police officer pending disposition of the charges;]
24 ***(6) (a)***[(c)] ***If it is determined through investigation or other means that the facts***
25 ***alleged in a citizen complaint or in an accusation of a violation of law***
26 ***enforcement procedures warrant charging the officer, the charge***[Any
27 charge involving violation of any local unit of government rule or regulation]

shall be made in writing with sufficient specificity so as to fully inform the [~~police~~] officer of the nature and circumstances of the alleged violation in order that he ***or she*** may be able to properly defend himself ***or herself***.

(b) The charge shall be ***signed by a representative of the employing agency, shall set out the disciplinary action recommended or imposed, and shall be*** served on the [~~police~~] officer in writing ***by certified mail, return receipt requested, or by personal delivery.***[~~;~~]

(c)[~~(f)~~] When ***an***[~~a police~~] officer has been charged with a violation of ***law enforcement procedures***[~~departmental rules or regulations~~], no public statements shall be made concerning the alleged violation by any person or persons of the ***employing agency***[~~local unit of government~~] or the [~~police~~] officer so charged, until final disposition of the charges.;

(d)[~~(g)~~] No [~~police~~] officer as a condition of continued employment by the ***employing agency***[~~local unit of government~~] shall be compelled to speak or testify or be questioned by any person or body of a nongovernmental nature.[~~; and~~]

(7) Unless waived by the charged officer in writing,[~~(h) When~~] a hearing ***shall***[~~is to~~] be conducted by ***the officer's***[~~any~~] appointing authority ***to determine whether there is substantial evidence to prove the charges and to determine what, if any, disciplinary action shall be taken if substantial evidence does exist. In conducting a hearing***[~~, legislative body, or other body as designated by the Kentucky Revised Statutes~~], the following administrative due process rights shall be recognized and these shall be the minimum rights afforded any [~~police~~]officer charged***, except as otherwise agreed to in writing by the officer and the employing agency***:

(a)[~~1.~~] The accused [~~police~~]officer shall ***be***[~~have been~~] given at least ***twelve (12) days written***[~~seventy-two (72) hours~~] notice of any hearing***. The notice of hearing shall be served on the officer by certified mail, return receipt***

1 ***requested, or by personal delivery***;

2 ***(b)***[~~2.~~] Copies of any sworn statements or affidavits to be considered by the
3 hearing authority and any exculpatory statements or affidavits shall be
4 furnished to the [~~police~~] officer no less than ***twelve days (12)***[~~seventy-two (72)~~
5 ~~hours~~] prior to the time of any hearing;

6 ***(c)***[~~3.~~] ***At***[~~If~~] any hearing [~~is~~]based upon ***the sworn***[~~a~~] complaint of ***a***
7 ***citizen***[~~an individual~~], the ***citizen***[~~individual~~] shall be notified to appear at the
8 time and place of the hearing by certified mail, return receipt requested ***or by***
9 ***personal delivery***;

10 ***(d)***[~~4.~~] If the return receipt has been returned unsigned, or the individual does
11 not appear, except [~~where~~]due to circumstances beyond his ***or her*** control he
12 ***or she*** cannot appear[~~,~~] at the time and place of the hearing, any charge
13 ***resulting from a complaint*** made by that ***citizen***[~~individual~~] shall not be
14 considered by the hearing authority and shall be dismissed with prejudice;

15 ***(e)***[~~5.~~] The accused [~~police~~]officer shall have the right and opportunity to
16 obtain and have counsel present, and to be represented by [~~the~~] counsel;

17 ***(f)***[~~6.~~] The appointing authority, legislative body, or other body as designated
18 by the Kentucky Revised Statutes shall subpoena and require the attendance of
19 witnesses and the production by them of books, papers, records, and other
20 documentary evidence at the request of the accused [~~police~~]officer or the
21 charging party. If any person fails or refuses to appear under the subpoena, or
22 to testify, or to attend, or produce the books, papers, records, or other
23 documentary evidence lawfully required, the appointing authority, legislative
24 body, or other body as designated by the Kentucky Revised Statutes may
25 report to the Circuit Court or any judge thereof the failure or refusal, and
26 apply for a rule. The Circuit Court, or any judge thereof, may on the
27 application compel obedience by proceedings for contempt as in the case of

1 disobedience of the requirements of a subpoena issued from the court;
2 ***(g)***[~~7.~~] The accused [~~police~~] officer shall be allowed to ***present***[~~have presented,~~]
3 witnesses and any documentary ***or other relevant*** evidence the [~~police~~]officer
4 wishes to provide to the hearing authority, and may cross-examine all
5 witnesses called by the charging party;
6 ***(h)***[~~8.~~] ***If any officer who has been***[~~Any police officer~~] suspended with or
7 without pay [~~who~~] is not given a hearing as provided by this section within
8 ***seventy-five (75)***[~~sixty (60)~~] days of any charge being filed ***pursuant to this***
9 ***section***, the charge [~~then~~]shall be dismissed with prejudice and ***shall*** not be
10 considered by any hearing authority and the officer shall be reinstated with
11 full back pay and benefits;[~~ and~~]
12 ***(i) Any officer who has been suspended without pay who is found not guilty of***
13 ***the charges by the hearing authority shall be reinstated with the full back***
14 ***pay and benefits for the regular hours he or she would have worked;***
15 ***(j)***[~~9.~~] The failure to provide any of the rights or to follow the provisions of this
16 section may be raised by the officer with the hearing authority. The hearing
17 authority shall not exclude proffered evidence based on failure to follow the
18 requirements of this section but shall consider whether, because of the failure,
19 the proffered evidence lacks weight or credibility and whether the officer has
20 been materially prejudiced***; and***[~~.~~]
21 ***(k) To the extent the provisions of KRS 61.805 to 61.850 are applicable, the***
22 ***hearing authority may conduct the hearing required by this subsection in a***
23 ***closed session, unless the officer requests of the hearing authority in writing***
24 ***at least three (3) days prior to the hearing that the hearing be open to the***
25 ***public.***
26 ***(8) (a)***[~~(2)~~] Any [~~police~~]officer who ***is***[~~shall be~~] found guilty by any hearing
27 authority of any charge, may bring an action in the Circuit Court in the county

1 in which the ***employing agency is***[~~local unit of government may be~~] located
2 ***within thirty (30) days of the date written findings are issued*** to
3 ***appeal***[~~contest~~] the action of ***the***[~~that~~] hearing authority***. The appeal shall be***
4 ***initiated by the filing of a complaint in the same manner as any civil action***
5 ***under the Rules of Civil Procedure and shall include a copy of the hearing***
6 ***authority's final order. The Circuit Court review of the case shall be based***
7 ***solely upon the administrative record created before the hearing authority***
8 ***and any new evidence offered by the officer regarding alleged arbitrariness***
9 ***on the part of the hearing authority***[~~, and the action shall be tried as an~~
10 ~~original action by the court~~].
11 ***(b)***[~~(3)~~] The judgment of the Circuit Court shall be subject to appeal to the Court
12 of Appeals. The procedure as to appeal to the Court of Appeals shall be the
13 same as in any civil action.
14 ***(9) The provisions of KRS 90.310 to 90.410, 95.450, and 95.765 shall not apply in***
15 ***any proposed disciplinary action arising from a citizen complaint made under***
16 ***subsection (3) of this section or arising from any allegation of conduct that would***
17 ***constitute a violation of law enforcement procedures under subsection (4) of this***
18 ***section. This section shall not be interpreted or construed to alter or impair any***
19 ***of the substantive rights provided to a city police officer under KRS 90.310 to***
20 ***90.410, 95.450, and 95.765 for any proposed disciplinary action or other matters***
21 ***not arising under subsections (3) and (4) of this section, including proposed***
22 ***actions involving alleged violations of general employment policies. To the extent***
23 ***that the provisions of this section are inapplicable to any proposed disciplinary***
24 ***action against a city police officer, the provisions of KRS 90.310 to 90.410,***
25 ***95.450, and 95.765 shall remain in full force and effect.***
26 ***(10)*** As the provisions of this section relate to a minimum system of professional
27 conduct, nothing ***in this section***[~~herein~~] shall be ***interpreted or*** construed ***to:***

1 *(a) Limit or to in any way affect any rights previously afforded to officers of the*
2 *Commonwealth by statute, collective bargaining or working agreement, or*
3 *legally adopted ordinance;*
4 *(b) Preclude an employing agency from investigating and charging an officer*
5 *both criminally and administratively;*
6 *(c) Prevent the suspension with or without pay or reassignment of an officer*
7 *during an investigation and pending final disposition charges;*
8 *(d) Permit an employing agency to categorize and treat any complaint that*
9 *originates from a citizen as an internal matter in order to avoid application*
10 *of all of the provisions of this section to the final disposition of a citizen's*
11 *complaint;*
12 *(e) Apply any disciplinary action required by this section to actions taken by an*
13 *employing agency that is not related to misconduct by a law enforcement*
14 *officer, such as personnel decisions made by the employing agency due to a*
15 *lack of resources or personnel decisions related to a chief's management of*
16 *a department; or*
17 *(f) Prevent an employing agency from electing to apply the provisions of this*
18 *section, or parts thereof, in circumstances that would not be covered under*
19 *this section*[~~as limiting or in any way affecting any rights previously afforded~~
20 ~~to police officers of the Commonwealth by statute, ordinance, or working~~
21 ~~agreement.~~
22 ~~(4) The provisions of this section shall apply only to police officers of local units of~~
23 ~~government who receive funds pursuant to KRS 15.410 through 15.992~~].
24 *(11) This section shall not apply to officers employed by a consolidated local*
25 *government that receives funds under KRS 15.410 to 15.510, who shall instead be*
26 *governed by the provisions of Section 2 of this Act.*
27 ➔SECTION 2. A NEW SECTION OF KRS 67C.301 to 67C.327 IS CREATED

1 TO READ AS FOLLOWS:

2 *(1) In order to establish a minimum system of professional conduct of the police*
3 *officers of consolidated local governments of this Commonwealth, the following*
4 *standards of conduct are stated as the intention of the General Assembly to deal*
5 *fairly and set administrative due process rights for police officers of the*
6 *consolidated local government and at the same time providing a means for*
7 *redress by the citizens of the Commonwealth for wrongs allegedly done to them*
8 *by police officers covered by this section:*

9 *(a) Any complaint taken from any individual alleging misconduct on the part of*
10 *any police officer, as defined herein, shall be taken as follows:*

11 *1. If the complaint alleges criminal activity on behalf of a police officer,*
12 *the allegations may be investigated without a signed, sworn complaint*
13 *of the individual;*

14 *2. If the complaint alleges abuse of official authority or a violation of*
15 *rules and regulations of the department, an affidavit, signed and*
16 *sworn to by the complainant, shall be obtained;*

17 *3. If a complaint is required to be obtained and the individual, upon*
18 *request, refuses to make allegations under oath in the form of an*
19 *affidavit, signed and sworn to, the department may investigate the*
20 *allegations, but shall bring charges against the police officer only if*
21 *the department can independently substantiate the allegations absent*
22 *the sworn statement of the complainant;*

23 *4. Nothing in this section shall preclude a department from investigating*
24 *and charging an officer both criminally and administratively.*

25 *(b) No threats, promises, or coercions shall be used at any time against any*
26 *police officer while he or she is a suspect in a criminal or departmental*
27 *matter. Suspension from duty with or without pay, or reassignment to other*

1 *than an officer's regular duties during the period shall not be deemed*
2 *coercion. Prior to or within twenty-four (24) hours after suspending the*
3 *officer pending investigation or disposition of a complaint, the officer shall*
4 *be advised in writing of the reasons for the suspension;*
5 *(c) No police officer shall be subjected to interrogation in a departmental*
6 *matter involving alleged misconduct on his or her part, until forty-eight (48)*
7 *hours have expired from the time the request for interrogation is made to*
8 *the accused officer, in writing. The interrogation shall be conducted while*
9 *the officer is on duty. The police officer may be required to submit a written*
10 *report of the alleged incident if the request is made by the department no*
11 *later than the end of the subject officer's next tour of duty after the tour of*
12 *duty during which the department initially was made aware of the charges;*
13 *(d) If a police officer is under arrest, or likely to be arrested, or a suspect in any*
14 *criminal investigation, he shall be afforded the same constitutional due*
15 *process rights that are accorded to any civilian, including, but not limited*
16 *to, the right to remain silent and the right to counsel, and shall be notified*
17 *of those rights before any questioning commences. Nothing in this section*
18 *shall prevent the suspension with or without pay or reassignment of the*
19 *police officer pending disposition of the charges;*
20 *(e) Any charge involving violation of any consolidated local government rule or*
21 *regulation shall be made in writing with sufficient specificity so as to fully*
22 *inform the police officer of the nature and circumstances of the alleged*
23 *violation in order that he may be able to properly defend himself. The*
24 *charge shall be served on the police officer in writing;*
25 *(f) When a police officer has been charged with a violation of departmental*
26 *rules or regulations, no public statements shall be made concerning the*
27 *alleged violation by any person or persons of the consolidated local*

1 *government or the police officer so charged, until final disposition of the*
2 *charges;*
3 *(g) No police officer as a condition of continued employment by the*
4 *consolidated local government shall be compelled to speak or testify or be*
5 *questioned by any person or body of a nongovernmental nature; and*
6 *(h) When a hearing is to be conducted by any appointing authority, legislative*
7 *body, or other body as designated by the Kentucky Revised Statutes, the*
8 *following administrative due process rights shall be recognized and these*
9 *shall be the minimum rights afforded any police officer charged:*
10 *1. The accused police officer shall have been given at least seventy-two*
11 *(72) hours notice of any hearing;*
12 *2. Copies of any sworn statements or affidavits to be considered by the*
13 *hearing authority and any exculpatory statements or affidavits shall*
14 *be furnished to the police officer no less than seventy-two (72) hours*
15 *prior to the time of any hearing;*
16 *3. If any hearing is based upon a complaint of an individual, the*
17 *individual shall be notified to appear at the time and place of the*
18 *hearing by certified mail, return receipt requested;*
19 *4. If the return receipt has been returned unsigned, or the individual*
20 *does not appear, except where due to circumstances beyond his control*
21 *he cannot appear, at the time and place of the hearing, any charge*
22 *made by that individual shall not be considered by the hearing*
23 *authority and shall be dismissed with prejudice;*
24 *5. The accused police officer shall have the right and opportunity to*
25 *obtain and have counsel present, and to be represented by the counsel;*
26 *6. The appointing authority, legislative body, or other body as designated*
27 *by the Kentucky Revised Statutes shall subpoena and require the*

1 *attendance of witnesses and the production by them of books, papers,*
2 *records, and other documentary evidence at the request of the accused*
3 *police officer or the charging party. If any person fails or refuses to*
4 *appear under the subpoena, or to testify, or to attend, or produce the*
5 *books, papers, records, or other documentary evidence lawfully*
6 *required, the appointing authority, legislative body, or other body as*
7 *designated by the Kentucky Revised Statutes may report to the Circuit*
8 *Court or any judge thereof the failure or refusal, and apply for a rule.*
9 *The Circuit Court, or any judge thereof, may on the application*
10 *compel obedience by proceedings for contempt as in the case of*
11 *disobedience of the requirements of a subpoena issued from the court;*
12 *7. The accused police officer shall be allowed to have presented,*
13 *witnesses and any documentary evidence the police officer wishes to*
14 *provide to the hearing authority, and may cross-examine all witnesses*
15 *called by the charging party;*
16 *8. Any police officer suspended with or without pay who is not given a*
17 *hearing as provided by this section within sixty (60) days of any*
18 *charge being filed, the charge then shall be dismissed with prejudice*
19 *and not be considered by any hearing authority and the officer shall*
20 *be reinstated with full back pay and benefits; and*
21 *9. The failure to provide any of the rights or to follow the provisions of*
22 *this section may be raised by the officer with the hearing authority.*
23 *The hearing authority shall not exclude proffered evidence based on*
24 *failure to follow the requirements of this section but shall consider*
25 *whether, because of the failure, the proffered evidence lacks weight or*
26 *credibility and whether the officer has been materially prejudiced.*
27 *(2) Any police officer who shall be found guilty by any hearing authority of any*

1 ***charge, may bring an action in the Circuit Court in the county in which the***
2 ***consolidated local government is located to contest the action of that hearing***
3 ***authority, and the action shall be tried as an original action by the court.***
4 ***(3) The judgment of the Circuit Court shall be subject to appeal to the Court of***
5 ***Appeals. The procedure as to appeal to the Court of Appeals shall be the same as***
6 ***in any civil action. As the provisions of this section relate to a minimum system of***
7 ***professional conduct, nothing in this section shall be construed as limiting or in***
8 ***any way affecting any rights previously afforded to police officers of the***
9 ***consolidated local government by statute, ordinance, or working agreement.***

Speaker-House of Representatives

President of Senate

Attest: Chief Clerk of House of Representatives

Approved Governor

Date 4-3-15